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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

Missouri Participating Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Documents Law (section 181.100, RSMo Supp. 2011), are available in the listed participating libraries, as selected by the Missouri State Library:

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Washington University Law Library Washington University Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6443	Kansas City Public Library 14 West 10th Street Kansas City, MO 64105 (816) 701-3546	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65211-7298 (573) 882-9369	Springfield-Greene County Library 4653 S. Campbell Springfield, MO 65801-0760 (417) 874-8110
St. Louis County Library 1640 S. Lindbergh Blvd. St. Louis, MO 63131-3598 (314) 994-3300 ext. 247	Law Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	Daniel Boone Regional Library PO Box 1267, 100 West Broadway Columbia, MO 65205-1267 (573) 443-3161 ext. 359	Meyer Library Missouri State University PO Box 175, 901 S. National Springfield, MO 65804-0095 (417) 836-4533
Library Maryville University 13550 Conway Road St. Louis, MO 63141-7232 (314) 529-9494	Miller Nichols Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	School of Law University of Missouri-Columbia 224 Hulston Hall Columbia, MO 65211-0001 (573) 882-1125	
Pickler Memorial Library Truman State University 100 E. Normal Kirksville, MO 63501-4221 (660) 785-7416	B.D. Owens Library Northwest Missouri State University 800 University Drive Maryville, MO 64468-6001 (660) 562-1841	Smiley Memorial Library Central Methodist University 411 Central Methodist Square Fayette, MO 65248-1198 (660) 248-6279	
	St. Joseph Public Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151		

HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 2—Health Requirements for Movement of Livestock, Poultry, and Exotic Animals

PROPOSED AMENDMENT

2 CSR 30-2.020 Movement of Livestock, Poultry, and Exotic Animals Within Missouri. The department is amending subsections (6)(A)–(D) and adding subsection (6)(E).

PURPOSE: This amendment adds the requirement of movement to be accompanied by a Certificate of Veterinary Inspection or a Breeder's Movement Certificate, changes brucellosis and tuberculosis testing requirements, and adds a provision for hunting preserves.

(6) Captive Cervids.

(A) Captive cervids including but not limited to elk, elk-hybrids,

red deer, roe deer, white-tailed deer, mule deer, sika deer, moose, reindeer, mutjac, and fallow deer exchanged, bartered, gifted, leased, or sold in Missouri must be individually identified by official eartag as defined in Title 9, *Code of Federal Regulations*, Part 71, published by the United States Superintendent of Documents, 732 N Capital Street NW, Washington, DC 20402-0001, phone: toll free (866) 512-1800, DC area (202) 512-1800, website: <http://bookstore.gpo.gov>, legible tattoo, or any other means of permanent identification approved by the state veterinarian and be individually listed on a **Certificate of Veterinary Inspection or a Breeder's Movement Certificate**. This rule does not incorporate any subsequent amendments or additions.

1. Breeder's Movement Certificate. A form provided by the Missouri Department of Agriculture (MDA) which documents the movement of cervids within Missouri. The form may be completed by the breeder and must list the official identification, age, gender, and species of the cervids moving within Missouri and a complete address of the farm of origin and destination. The form will also list any required testing and Chronic Wasting Disease (CWD) status of the herd of origin. The original will accompany the shipment and a copy will be submitted to the MDA within thirty (30) days of movement.

(B) Brucellosis Requirements.

1. All sexually intact animals six (6) months of age and older, not under quarantine and not affected with brucellosis must *[test negative for brucellosis within ninety (90) days prior to movement]* have a negative brucellosis test within one (1) year prior to movement (negative test date must be listed on the Certificate of Veterinary Inspection or on the Breeder's Movement Certificate) except—

[A. Brucellosis-free herd—captive cervids originating from certified brucellosis-free herd may move on herd status without additional testing provided the certified herd number and current test date is listed on the Certificate of Veterinary Inspection; and

B. Brucellosis-monitored herd—all sexually intact animals six (6) months of age and older must test negative for brucellosis within ninety (90) days prior to movement.]

A. Captive cervids originating from certified brucellosis-free herds may move on the current herd number and test date;

B. Captive cervids moving directly to a slaughter facility; and

C. Movement to a licensed livestock market or premises of licensed dealer provided the cervids are tested within five (5) days and are quarantined and isolated pending test results. All records must be kept for five (5) years and available for inspection by a representative of the MDA upon request.

(C) Tuberculosis Requirements.

1. Captive cervids, *[less than]* six (6) months of age and older, not known to be affected or exposed to tuberculosis and not in a status herd must have one (1) tuberculosis test, *[not less than ninety (90) days]* within one (1) year prior to movement, using the single cervical method. *The negative test date must be listed on the Certificate of Veterinary Inspection. Captive cervids must have been isolated from other captive cervids during the testing period.* (negative test date must be listed on the Certificate of Veterinary Inspection or listed on a Breeder's Movement Certificate), except—

A. Captive cervids originating from accredited tuberculosis-free herds may move on the current herd number and test date;

B. Captive cervids moving directly to a slaughter facility; and

C. Movement to a licensed livestock market or premises of licensed dealer provided the cervids are tested within five (5) days and are quarantined and isolated pending test results. All records

must be kept for five (5) years and available for inspection by a representative of the MDA upon request.

2. *Captive cervids six (6) months of age and over not known to be affected with or exposed to tuberculosis and not in a status herd must have two (2) tuberculosis tests, not less than ninety (90) days apart, using the single cervical method. The second test must be within ninety (90) days prior to movement. Both negative tests dates must be listed on the Certificate of Veterinary Inspection. Captive cervids must have been isolated from other captive cervids during the testing period.*

3. *Movement from status herds.*

A. *Accredited herd—captive cervids originating from accredited tuberculosis-free herds may move on the current herd number and test date.*

B. *Qualified herd—captive cervids originating from a qualified herd must have one (1) negative tuberculosis test, using the single cervical method, within ninety (90) days prior to date of movement.*

C. *Monitored herd—captive cervids originating from a monitored herd must have one (1) negative tuberculosis test, using the single cervical method, within ninety (90) days prior to the date of movement.*

D. *Captive cervids less than twelve (12) months of age that originate from and were born in a qualified or monitored herd may be moved without further tuberculosis testing, provided that they have not been exposed to captive cervids from a lower status herd.]*

(D) Chronic Wasting Disease.

1. All cervids over one (1) year of age must be enrolled in a [Chronic Wasting Disease (CWD)] program sponsored by the Department of Agriculture. Original anniversary date must be listed on the Certificate of Veterinary Inspection or Breeder's Movement Certificate. After January 1, 2013, all cervids must have a CWD Status Level of 1 to move within Missouri.

2. All suspected or confirmed cases of CWD must be reported to the state veterinarian.

3. All captive cervids from infected or source herds will be quarantined.

(E) Hunting Preserves.

1. Must be permitted with the Missouri Department of Conservation (MDC) and comply with all regulations of the Wildlife Code.

2. Must maintain records of all purchased and harvested cervids.

A. Documentation must be maintained for five (5) years and provided for inspection to MDA and MDC authorities upon request. Records required include the name and address of the individual harvesting the animal, identification and origin (owner and address) of the harvested animal, and Certificate of Veterinary Inspection or Breeder's Movement Certificate required for movement.

B. Any cervids entering the hunting preserve must be officially identified and listed on a Certificate of Veterinary Inspection or Breeder's Movement Certificate.

3. CWD testing is required on all cervids harvested which originated outside the state of Missouri.

AUTHORITY: section 267.645, RSMo 2000. Original rule filed April 18, 1975, effective April 28, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed May 1, 2012.

PUBLIC COSTS: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COSTS: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, Linda Hickam, DVM, State Veterinarian, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 500—Office of Adult Learning and Rehabilitation Services

PROPOSED AMENDMENT

5 CSR 20-500.330 Administration of High School Equivalence Program. The State Board of Education is amending the purpose and sections (1) through (7).

PURPOSE: This amendment is to permit the department through vendor procurement to identify one (1) or more tests for the awarding of a Missouri High School Equivalence Certificate. The department, testing site, or test vendor(s) may collect a fee directly from the examinee based on the test(s) identified and method of test administration.

PURPOSE: The Department of Elementary and Secondary Education [(DESE)] (department) determines applicant eligibility, arranges for testing, establishes minimum standard score requirements, issues certificates, and approves reexamination in accordance with the policies and procedures of [the General Educational Development Testing Services (GEDTS) of the American Council on Education (ACE). DESE cooperates with the Defense Activity for Nontraditional Education Support (DANTES) and United States Armed Forces Institute (USAFI) testing programs.] test vendors approved and designated by the department.

(1) To be eligible to [take the General Educational Development (GED) Tests and] earn a Missouri High School Equivalence Certificate, a person must be a resident of Missouri (with a Missouri mailing address) and meet one (1) of the following requirements:

(2) Arrangements for [T/taking the [GED T]test(s).

(A) The [GED Tests] test(s) to earn a Missouri High School Equivalence Certificate are administered under the direction of [DESE] the department at centers approved and designated by [DESE] the department.

(B) Application forms may be obtained by contacting the [GED] Missouri High School Equivalency Office (HSEO), PO Box 480, Jefferson City, MO 65102-0480. The completed form is to be returned for approval. Only approved applicants may take the examination. Positive identification in the form of a current Missouri driver's license, [or] Missouri non-driver ID, or U.S. issued passport must be presented by the examinee before being allowed to take the [GED T]test(s). The local testing center is responsible for positive identification of examinees.

(C) [A] Examination fee(s) [approved by the State Board of Education (board)] must [accompany each application] be paid by the examinee to cover the cost of administering the program. [An additional fee payable to the local GED testing center is required prior to testing.] Based on the test(s) identified by the department and method of test administration chosen by the examinee, fees may be paid to the department, testing center, or test vendor. These fees are nonrefundable and nontransferable. [and will be required each time an individual retakes any part of the test. Additional transcripts and replacement] Duplicate

certificates are available for **an** additional fee/s/.

(3) Local testing centers will assign testing dates to applicants who have **requested testing and who have** been authorized by *[DESE] the department* to take the test(s) or to retake all or part of *[the]* a test. *[The following areas are covered by the tests: Language Arts-Writing, Social Studies, Science, Language Arts-Reading and Mathematics.]*

(4) The Missouri Certificate of High School Equivalence is awarded on the basis of the successful completion of the *[GED] designated [T]test(s)*. Minimum standard scores are established in accordance with the policies and procedures of the *[General Educational Development Testing Services (GEDTS) of the American Council on Education (ACE)] designated test vendor(s)*.

(5) Certificates of High School Equivalence are issued only by *[DESE] the department*. Public high schools are not permitted to issue these certificates nor are they permitted to issue a diploma on the basis of the *[GED Tests] designated test(s)* unless the district is part of the Missouri Option Program.

(6) Reexamination.

(A) An applicant who fails to qualify for the certificate on the first testing may be approved for additional attempts*[, but only if a minimum of two (2) months have elapsed since the previous attempt. Application and fee are required each time tests are taken.]* **per vendor's requirements.**

[(B) The highest score obtained for each of the five (5) tests within a two (2)-year period will be used as a basis for determining the eligibility for the certificate in accordance with GEDTS standards and procedures.]

(7) **General Educational Development Test or GED® Tests** given by the **Defense Activity for Nontraditional Education Support (DANTES)** or **United States Armed Forces Institute (USAFI)** are recognized by Missouri. A completed application form, fee, and an official transcript of GED scores must be submitted to the *[GED] HSEO*, PO Box 480, Jefferson City, MO 65102-0480. A Missouri Certificate of High School Equivalence will be issued if the standard scores meet the minimum score requirements established by the board.

AUTHORITY: sections 161.092 and 167.031, RSMo Supp. [2009] 2011, and sections 161.093 and 161.095, RSMo 2000. This rule previously filed as 5 CSR 60-100.020. Original rule filed Oct. 10, 1969, effective Oct. 20, 1969. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 20, 2012.

PUBLIC COST: The cost of this proposed amendment to public entities will vary depending upon the cost of the test by the vendor and the method of testing selected by the examinee. Estimates based on current vendor selection are twenty dollars (\$20) for each test authorization fee payable to the department and twenty dollars (\$20) for each local test administration payable to the test site where the test is administered by paper-pencil. Where examinees elect to test by computer the projected costs are twenty-four dollars (\$24) per test plus four dollars (\$4) for test administration. Total cost of the five (5) part test battery is one hundred forty dollars (\$140). The total cost to public entities is estimated at two hundred eighty-one thousand two hundred forty dollars (\$281,240).

PRIVATE COST: The cost of this proposed amendment to private entities will vary depending upon the cost of the test by the vendor and the method of testing selected by the examinee. Estimates based on current vendor selection are twenty dollars (\$20) for each test authorization fee payable to the department and twenty dollars (\$20) for each local test administration payable to the test site where the

test is administered by paper-pencil. Where examinees elect to test by computer the projected costs are twenty-four dollars (\$24) per test plus four dollars (\$4) for test administration. Total cost of the five (5) part test battery is one hundred forty dollars (\$140). The total cost to private entities is estimated at three hundred eighty-one thousand one hundred sixty dollars (\$381,160).

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in the support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Don Eisinger, Coordinator, Adult Education, Office of Adult Learning and Rehabilitation Services, PO Box 480, Jefferson City, MO 65102-0480 or by email at ged@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Title 5 – Department of Elementary and Secondary Education**
Division Title: 20 – Division of Learning Services
Chapter Title: 500 - Office of Adult Learning and Rehabilitation Services

Rule Number and Name:	5 CSR 20-500.330 Administration of High School Equivalence Program
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Local Public Schools –Students in Missouri Options Program	\$156,080.00
Department of Corrections through Canteen Fund	\$102,160.00
Division of Youth Services	\$23,000.00

III. WORKSHEET

Type	Number	Cost	Total
Missouri Options	2810 @	\$40.00	\$112,400.00
Missouri Options	312 @	\$140.00	\$43,680.00
Department of Corrections	1,840 @	\$40.00	\$73,600.00
Department of Corrections	204 @	\$140.00	\$28,560.00
Division of Youth Services	414 @	\$40.00	\$16,560.00
Division of Youth Services	46 @	\$140.00	\$6,440.00
			\$281,240.00

IV. ASSUMPTIONS

Cost identified above reflects the current cost of paper-pencil test at \$40 per administration. The computer-based test at a cost is \$140 is estimated to attract about 10% of each population. Computer-based test fees are paid to the test vendor. The department will receive \$20 from the vendor to offset the cost of test authorization. At some point before January 2014 computer-based testing will be implemented for use within Department of Corrections' facilities. The number of examinees that may elect to take the test by computer is expected to be low as the paper-pencil test and computer-based test will be available at the same time.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Title 5 – Department of Elementary and Secondary Education
Division Title: 20 – Division of Learning Services
Chapter Title: 500 - Office of Adult Learning and Rehabilitation Services**

Rule Number and Title:	5 CSR 20-500.330 Administration of High School Equivalence Program
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
6,364 Examinees	None	\$318,160.00

III. WORKSHEET

Type	Number	Cost	Total
Paper-Pencil Test	5728 @	\$40.00	\$229,120.00
Computer-Based Test	636 @	\$140.00	\$89,040.00
			\$318,160.00

IV. ASSUMPTIONS

Of an estimated 6,364 nonpublic examinees, we estimate that 10% or 636 will elect to take the test on computer at a cost of \$140. Computer-based test fees are paid to the test vendor. The department will receive \$20 from the vendor to offset the cost of test administration. The cost of the paper-pencil test reflects the current cost of \$40.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 30—Division of Financial and Administrative
Services
Chapter 261—School Transportation**

PROPOSED AMENDMENT

5 CSR 30-261.025 Minimum Requirements for School Bus Chassis and Body. The State Board of Education is proposing to amend section (1) and the incorporated by reference material.

PURPOSE: This amendment is a result of a change to the National School Transportation Specifications and Procedures and Federal Motor Vehicle Safety Standards and a recommendation from the Missouri Minimum Standards for School Buses Committee. The amendment will enhance the safety of schoolchildren being transported in school buses.

(1) The Missouri Minimum Standards for School Buses (revised [September 2008] April 2012) is hereby incorporated by reference and made a part of this rule as published by the Department of Elementary and Secondary Education, School Financial and Administrative Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions. The Missouri Minimum Standards for School Buses reflects the changing needs of pupil transportation in Missouri, changes in the national specifications for school buses, and federal motor vehicle safety standards. The changes will enhance the safety of schoolchildren being transported in school buses.

AUTHORITY: section 161.092, RSMo Supp. [2008] 2011, and section 304.060, RSMo 2000. This rule was previously filed as 5 CSR 40-261.025. Original rule filed Feb. 23, 1981, effective Oct. 1, 1981. For intervening history, please consult the Code of State Regulations. Amended: Filed April 20, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Elementary and Secondary Education, ATTN: Roger Dorson, Coordinator, School Financial and Administrative Services, PO Box 480, Jefferson City, MO 65102-0480. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

PROPOSED AMENDMENT

11 CSR 45-9.020 Objectives of an Internal Control System. The commission is amending subsection (1)(B).

PURPOSE: This amendment clarifies reporting procedure for security personnel and updates a class designation.

(1) Each Class B licensee and other licensees as directed by the com-

mission shall establish an internal control system that includes the following:

(B) Accounting control which includes the plan of organization and the procedures and records that are concerned with the safeguarding of assets and the accuracy and reliability of financial records and are consequently designed to provide reasonable assurance that—

1. Transactions are performed only in accordance with management's specific or general authorization;

2. Transactions are recorded adequately to permit preparation of financial statements in conformity with generally accepted accounting principles, to permit proper reporting of adjusted gross receipts and of fees and taxes and to maintain accountability for assets;

3. Access to assets is permitted only in accordance with management's specific authorization;

4. Recorded accountability for assets is compared with actual assets at reasonable intervals and appropriate action is taken with respect to any discrepancies;

5. Functions, duties, and responsibilities are appropriately segregated and performed by competent personnel with integrity and an understanding of prescribed procedures.

A. The internal auditor shall report only to the entity or person holding a Class [B] A license, or other reporting as approved by the commission.

B. Security personnel shall only report to [an organizational level above that of gaming operations] the general manager.

C. Surveillance personnel shall only report directly to an organizational level above that of general manager; and

6. Compliance with the statutes and rules is assured.

AUTHORITY: sections 313.004 and 313.812, RSMo 2000 and sections 313.800, 313.805, and 313.817, RSMo Supp. [2008] 2011. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed March 18, 1996, effective March 28, 1996, expired Sept. 23, 1996. Amended: Filed March 18, 1996, effective Oct. 30, 1996. Amended: Filed Oct. 29, 2008, effective April 30, 2009. Amended: Filed April 25, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for July 11, 2012, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers and Investment Adviser Representatives**

PROPOSED AMENDMENT

15 CSR 30-51.100 Custody of Securities or Funds by Investment Advisers. The commissioner is amending section (1) to update the rule's reference to 17 CFR 275.206(4)-2, is deleting section (2),

which references a no longer effective exception to the federal rule, and adding a new section (2).

PURPOSE: This amendment modifies the existing rule to reflect recent changes to the federal rule it references. As it currently reads, 15 CSR 30-51.100 requires that investment advisers with custody of client funds or securities maintain that custody in accordance with the requirements set forth in 17 CFR 275.206(4)-2(a)(1)-(4) and exempts from that requirement certain investment advisers also registered as broker-dealers. In the time since the rule was last amended, the federal rule has changed, adding transparency requirements, new exceptions from the rule, and definitions of terms used within the rule. This amendment changes 15 CSR 30-51.100(1) to reference 17 CFR 275.206(4)-2 in its entirety, including the new transparency requirements, exceptions from the rule, and definitions, and eliminates 15 CSR 30-51.100(2) and its reference to a no longer effective exception to the federal rule.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Investment advisers may have custody or possession of the securities or funds of a client *[provided that the investment adviser maintains custody or possession in accordance with the requirements set forth in 17 CFR Section 275.206(4)-2(a)(1)-(4).]* if—

(A) The investment adviser maintains custody or possession in accordance with the requirements set forth in 17 CFR 275.206(4)-2; and

(B) All items required to be filed with the U.S. Securities and Exchange Commission (SEC) under 17 CFR 275.206(4)-2 are filed, through the Investment Advisor Registration Depository (IARD) System, with the commissioner.

[(2) An investment adviser who is also registered as a broker-dealer may comply with 17 CFR Section 275.206(4)-2(b) with respect to custody in lieu of the requirements set forth in 17 CFR 275.206(4)-2(a)(1)-(4).]

(2) The specific citation to 17 CFR 275.206(4)-2 referenced in this rule and published on January 11, 2010, shall apply and is hereby incorporated by reference as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 409.4-411(f) and 409-6.605, RSMo Supp. [2004] 2011. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 1, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Secretary of State's Office, Matt Kitzi, Commissioner of Securities, 600 West Main Street, Jefferson City, MO 65101. To be

considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

PROPOSED AMENDMENT

15 CSR 30-51.180 Exemptions from Registration for Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives. The commissioner is deleting old section (6) and adding a new section (6).

PURPOSE: This amendment makes changes to a rule that, due to federal law changes, has been effectively mooted. Current 15 CSR 30-51.180(6) exempts certain investment advisers from the registration requirements of the Missouri Securities Act of 2003. The Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Dodd-Frank Act") repealed a federal exemption that the current 15 CSR 30-51.180(6) relied upon to exempt those investment advisers. The Dodd-Frank Act put in place other, statutorily-different exemptions for some investment advisers. This amendment modifies 15 CSR 30-51.180(6) to rely upon the new federal exemptions and allow Missouri's previously-exempt investment advisers to continue operating.

[(6) Exemption from Investment Adviser Registration for Certain Investment Advisers.

(A) An investment adviser is exempt from the registration requirements of section 409.4-403 provided the following conditions are met:

1. The investment adviser is exempt from registration under section 203(b)(3) of the Investment Advisers Act of 1940 (15 U.S.C. section 80b-3(b)(3)); and

2. The investment adviser engages in the business of providing investment advice to fifteen (15) or fewer clients.

(B) Definitions. For the purposes of this section:

1. "Assets under management" includes amounts currently under management and any amount payable to such entity pursuant to a firm agreement or similar binding commitment pursuant to which a person has agreed to acquire an interest in, or make capital contributions to, the entity upon demand of such entity;

2. The term "client" means an entity that:

A. Would be an investment company under section 3(a) of the Investment Company Act of 1940 (15 U.S.C. section 80a-3(a)) but for the exception provided by sections 3(c)(1) or 3(c)(7) of that Act;

B. Only has owners that qualified at the time that they invested as either:

(I) An "accredited investor" as defined at 17 CFR section 230.501(a); or

(II) A qualified client as that term is defined at 17 CFR section 275.205-3(d)(1)(iii); and

C. Immediately after entering into the contract with the investment adviser has at least five (5) million dollars (valued at historical cost) in assets under management with the investment adviser.]

(6) Exemption for Investment Advisers to Private Funds.

(A) Definitions. For purposes of this regulation, the following definitions shall apply:

1. "Private fund adviser" means an investment adviser who provides investment advice solely to one (1) or more qualifying

private funds;

2. "Qualifying private fund" means a private fund that meets the definition of a qualifying private fund in U.S. Securities and Exchange Commission (SEC) Rule 203(m)-1, 17 *Code of Federal Regulations* (CFR) 275.203(m)-1;

3. "3(c)(1) fund" means a qualifying private fund that is eligible for the exclusion from the definition of an investment company under Section 3(c)(1) of the Investment Company Act of 1940, 15 U.S.C. 80a-3(c)(1); and

4. "Venture capital fund" means a private fund that meets the definition of a venture capital fund in SEC Rule 203(l)-1, 17 CFR 275.203(l)-1.

(B) A private fund adviser is exempt from registering as an investment adviser under section 409.4-403, RSMo, if—

1. Neither the private fund adviser nor any of its advisory affiliates are subject to a disqualification as described in Rule 262 of SEC Regulation A, 17 CFR 230.262;

2. The private fund adviser files with the commissioner each report and amendment thereto that an exempt reporting adviser is required to file with the SEC pursuant to SEC Rule 204-4, 17 CFR 275.204-4; and

3. In the event the private fund adviser advises at least one (1) 3(c)(1) fund that is not a venture capital fund, then the private fund adviser also—

A. Reasonably believes that those 3(c)(1) funds (other than venture capital funds) are beneficially owned by persons that qualify as either—

(I) An "accredited investor" as defined by 17 CFR 230.501(a)(1), (2), (3), (4), (5), (7), or (8). For purposes of this section, an "accredited investor" under 17 CFR 230.501(a)(8) excludes any entity which has an equity owner that only qualifies as an accredited investor under 17 CFR 230.501(a)(6); or

(II) A "qualified client" as defined by 17 CFR 275.205-3(d)(1)(iii);

B. Discloses to each beneficial owner of a 3(c)(1) fund in writing and at the time of purchase the following:

(I) All services, if any, to be provided to individual beneficial owners;

(II) All duties, if any, the investment adviser owes to the beneficial owners; and

(III) Any other material information affecting the rights or responsibilities of the beneficial owners; and

C. Delivers or causes to be delivered annually to each beneficial owner of the fund financial statements of each 3(c)(1) fund that is not a venture capital fund.

(C) The report filings described in paragraph (6)(B)2. above shall be made electronically through the Investment Advisor Registration Depository (IARD). For purposes of this section, a report is filed when the report is accepted by the IARD on the state's behalf.

(D) The above notwithstanding, a private fund adviser includes an investment adviser that:

1. Before the effective date of this rule, was exempt from registration in reliance on 15 CSR 30-51.180(6);

2. Advises a fund that—

A. The private fund adviser advised before the effective date of this rule;

B. Has one (1) or more owners who, before the effective date of this rule, the private fund adviser reasonably believed qualified as an "accredited investor" as defined by 17 CFR 230.501(a)(6); and

C. After the effective date of this rule, only sells its securities to persons who qualify as either—

(I) An "accredited investor" as defined by 17 CFR 230.501(a)(1), (2), (3), (4), (5), (7), or (8). For purposes of this section, an "accredited investor" under 17 CFR 230.501(a)(8) excludes any entity which has an equity owner that only qualifies as an accredited investor under 17 CFR 230.501(a)(6); or

(II) A "qualified client" as defined by 17 CFR 275.205-3(d)(1)(iii); and

3. Otherwise complies with the requirements of this rule.

AUTHORITY: sections 409.4-401(d), 409.4-402(b)(9), 409.4-403(b)(3), 409.4-404(b)(2), and 409.6-605, RSMo Supp. [2006] 2011. Original rule filed Dec. 28, 2001, effective July 30, 2002. For intervening history, please consult the *Code of State Regulations*. Amended: Filed April 26, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Secretary of State's Office, Matt Kirzi, Commissioner of Securities, 600 West Main Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS

Division 10—The Public School Retirement System of Missouri

Chapter 3—Funds of Retirement System

PROPOSED AMENDMENT

16 CSR 10-3.020 Management of Funds. The system is adding a new section (8).

PURPOSE: The language in this amendment is required under Section 401 of the Internal Revenue Code for tax-qualification of retirement plans.

(8) Section 169.040, RSMo, provides the board authority to invest the assets of the system established by sections 169.010 to 169.141, RSMo. Pursuant to such authority, assets of such system may be invested in any collective investment fund, including common and group trust funds that consist exclusively of assets of exempt pension and profit sharing trusts and individual retirement accounts, custodial accounts, retirement income accounts, governmental plans, and tax-exempt trusts under the Internal Revenue Code of 1986 and Rev. Rule 81-100, as modified by Rev. Rules 2004-67, 2008-40, and 2011-1. The assets so invested shall be subject to all the provisions of the instruments establishing and governing such funds. Those instruments of group trusts, including any subsequent amendments, are hereby incorporated by reference and made a part of the system established by sections 169.010 to 169.141, RSMo, to the extent of the system's investment therein.

AUTHORITY: section 169.020, RSMo Supp. [1997] 2011. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the *Code of State Regulations*. Amended: Filed April 17, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Public Education Employee Retirement Systems of Missouri, Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System
of Missouri
Chapter 6—The Public Education Employee Retirement
System of Missouri

PROPOSED AMENDMENT

16 CSR 10-6.030 Management of Funds. The system is adding a new section (8).

PURPOSE: The language in this amendment is required under Section 401 of the Internal Revenue Code for tax-qualification of retirement plans.

(8) Section 169.630, RSMo, provides the board authority to invest the assets of the system established by sections 169.600 to 169.715, RSMo. Pursuant to such authority, assets of such system may be invested in any collective investment fund, including common and group trust funds that consist exclusively of assets of exempt pension and profit sharing trusts and individual retirement accounts, custodial accounts, retirement income accounts, governmental plans, and tax-exempt trusts under the Internal Revenue Code of 1986 and Rev. Rule 81-100, as modified by Rev. Rules 2004-67, 2008-40, and 2011-1. The assets so invested shall be subject to all the provisions of the instruments establishing and governing such funds. Those instruments of group trusts, including any subsequent amendments, are hereby incorporated by reference and made a part of the system established by sections 169.600 to 169.750, RSMo, to the extent of the system's investment therein.

AUTHORITY: section 169.610, RSMo [1994] 2011. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. Amended: Filed Jan. 8, 1985, effective May 11, 1985. Amended: Filed Aug. 29, 1997, effective Feb. 28, 1998. Amended: Filed April 17, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Public Education Employee Retirement Systems of Missouri, Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 20—Missouri Local Government Employees'
Retirement System (LAGERS)
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 20-2.083 Re-Employment in LAGERS-Covered

Employment After Retirement. This rule established the circumstances under which a retiree may work full-time in LAGERS-covered employment after retirement from the system, as provided for in section 70.686, RSMo 2000.

PURPOSE: This rule is being rescinded due to a change in the statute.

AUTHORITY: section 70.605.21, RSMo 2000. Original rule filed Oct. 17, 2001, effective May 30, 2002. Rescinded: Filed April 23, 2012.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Any interested person or entity may submit written comments in support of or in opposition to the proposed rescission. Comments should be directed to the Missouri Local Government Employees' Retirement System (LAGERS), ATTN: Robert Franson, Chief Counsel, PO Box 1665, Jefferson City, MO 65102-1665. To be considered, comments must be received within thirty (30) days of publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers

PROPOSED AMENDMENT

17 CSR 20-2.015 Administration and Command of the Private Security Section. The board is amending sections (1)–(3).

PURPOSE: This amendment clarifies that the licensing of private detectives in the City of St. Louis is now under the jurisdiction of the state of Missouri and corrects typographical errors.

(1) Board of Police Commissioners. The St. Louis Board of Police Commissioners (referred to as the board) is established by state statute and consists of five (5) members, four (4) of whom are appointed by the governor. The Mayor of the City of St. Louis serves as *ex officio* member. The board has sole charge and control of the metropolitan police department of the City of St. Louis and of the licensing, regulation, and discipline of all corporate security advisors, private security officers, private watchmen, and couriers in the City of St. Louis. Private detectives are licensed by the [license collector's office of the City of St. Louis] state of Missouri, not by the board of police commissioners. [The board relegated that responsibility to the city license collector's office.]

(2) Private Security Section. The private security section is responsible for the interviewing, investigating, processing, licensing, inspection, and supervision of all persons working or acting as licensed security officers or any other variety of titles in the City of St. Louis. The private security section is further responsible for issuing and transferring all such licenses, for reinstatements, for periodic inspection of license holders, for liaison with all suppliers of security personnel in the city, for maintenance of a personnel file on all applicants in the City of St. Louis, and for publishing, within the department, information of all terminations of employment of security personnel. [The private security section also conducts background investigations on private detective/investigator applicants as requested by the license collector's office. A processing fee for these background investigations will be charged by the private security section to all applicants for

a private investigator's license. The decision to issue a license is made by the license collector's office.]

(3) Private Security Personnel. The St. Louis Metropolitan Police Department Private Security Program has four (4) distinct classifications of personnel. A definition of each classification is listed as follows:

(A) Corporate security advisor. A person employed to provide all services rendered by a private security officer, as well as other specialized corporate security services related to the protection of his/her employer's/principal's resources and personnel. A licensed corporate security advisor may carry a firearm and protective devices in accordance with the guidelines established in these rules. S/he shall be authorized to exercise the same police powers granted to private security officers while on his/her employer's/principal's property. However, the corporate security advisor's power and authority shall not be restricted to that property, but shall be coextensive with the geographic limits of the City of St. Louis (as defined in [17 CSR 20-5.055] 17 CSR 20-5.065);

(B) Private security officer. A person employed with certain police powers (as defined in 17 CSR 20-2.065) to protect life or property on or in designated premises. Generally, the private security officer's powers exist only within the established property owned or leased by the contracting employer and to incidents occurring on the premises. The private security officer may carry a firearm providing this individual is qualified (as defined in 17 CSR 20-2.055). Authorization to carry a firearm is designated on the badge/identification card. The private security officer, whether armed or unarmed, may carry a baton, nightstick, pepper mace, and handcuffs after training requirements have been satisfied;

(C) Courier. A person employed to carry out the assignment of protecting and transporting property from one designated area to another. The person shall be in an approved military style uniform. The courier has no power of arrest. The courier may carry a firearm provided this individual is qualified (as defined in [17 CSR 20-2.055] 17 CSR 20-3.055). Authorization to carry a firearm is designated on the badge/identification card; and

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed Feb. 13, 2002, effective Aug. 30, 2002. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Private Security Division, Sherri Smith, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, or email at slsmith@slmpd.org; with copies to Mark Lawson, Secretary & General Counsel, Legal Division, St. Louis Metropolitan Police Department, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5611, mlawson@slmpd.org, and Lt. Col. Paul M. Nocchiero, Bureau of Professional Standards, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, pmnocchiero@slmpd.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

PROPOSED AMENDMENT

17 CSR 20-2.025 Definitions. The board is amending sections (6), (10), (14), and (15).

PURPOSE: This amendment updates the definition of "firearm" allowed under these regulations to include a 9mm Luger semi-automatic pistol.

(6) Firearm/*Gun—Double action .38 Special caliber revolver only, or any other firearm approved by the board of police commissioners.]—Approved double-action .38 Special caliber revolver or double-action only semi-automatic pistol in 9mm Luger caliber only.*

(10) Protective devices—Instruments approved for personal protection—baton, nightstick, pepper mace, and handcuffs. Training is required before these items may be carried on duty.

(14) Termination—The inactivation of a license through resignation, cancellation, expiration, or revocation.

(15) Weapons—**Firearm, as described in section (6), and //instruments used as protective devices, as listed in section (10), including a firearm, baton, nightstick, pepper mace, and handcuffs.**

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed Feb. 13, 2002, effective Aug. 30, 2002. Amended: Filed May 14, 2008, effective Dec. 30, 2008. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Private Security Division, Sherri Smith, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, or email at slsmith@slmpd.org; with copies to Mark Lawson, Secretary & General Counsel, Legal Division, St. Louis Metropolitan Police Department, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5611, mlawson@slmpd.org, and Lt. Col. Paul M. Nocchiero, Bureau of Professional Standards, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, pmnocchiero@slmpd.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

PROPOSED AMENDMENT

17 CSR 20-2.035 Licensing. The board is amending sections (1), (2), (6), and (9).

PURPOSE: This amendment eliminates the restriction that a private security officer cannot simultaneously be licensed as a private detective or process server.

(1) General Procedures. Each applicant must appear in person at the office of the private security section. Each applicant must complete an application form. S/he must provide all information requested in the application for a determination of his/her qualifications to hold a

license as a private security officer. Each applicant must present a current letter (no older than ten (10) days) from the intended employer where the proposed employer states an intention to hire the applicant. Prior to an application being processed by the private security section, a criminal history inquiry will be made through the St. Louis Police Department's computer terminal. If the inquiry reveals that the applicant has an open criminal arrest record, s/he will be required to obtain a certified final court disposition or a report from a circuit or prosecuting attorney. If the case is still open, the application process will not be completed until a final disposition is obtained. Police officers from other jurisdictions including St. Louis County Police, St. Louis Airport Police, St. Louis Deputy Sheriffs, and St. Louis City Marshals, serving or acting as private security officers do not possess police powers at the location of their assignments in the City of St. Louis unless licensed by the board of police commissioners of the City of St. Louis.

(A) All St. Louis Airport Police Officers, St. Louis Deputy Sheriffs, and St. Louis City Marshals desiring to obtain a **private** security license to work as **private** security officers in the City of St. Louis will be processed and trained through the St. Louis Metropolitan Police Department Private Security Section.

(B) Municipal police officers who desire to work **private** security in the City of St. Louis must first obtain a valid *[metropolitan]* license from the St. Louis Metropolitan Police Department Private Security Section. While working in the City of St. Louis, the officer must display a badge/identification card clearly showing the name of the company for which s/he is working.

(C) Police officers from outside the state of Missouri must first obtain a valid license from the St. Louis Metropolitan Police Department Private Security Section. Applicants will be processed in the normal manner and will be required to complete the **private** security officer training class after a satisfactory background check has been conducted. Police officers from states other than Missouri may not wear their department uniforms while working security in the City of St. Louis.

(2) Standards. Each applicant for a license to work as a private security officer in the City of St. Louis shall meet the standards set by the board of police commissioners, which require that an applicant—

[(E)] Not be licensed as a private security officer and private detective or a process server in any state at the time of application for a license;

[(F)](E) Be capable of understanding and performing the duties and responsibilities of a licensed private security officer within the scope of departmental policies and procedures;

[(G)](F) Has received an Honorable Discharge or a General Discharge Under Honorable Conditions, when applicable. An Undesirable Discharge, a Discharge Under Dishonorable Conditions or a Discharge Under Other Than Honorable Conditions will disqualify the applicant;

[(H)](G) Be of good moral character;

[(I)](H) Have no felony convictions;

[(J)](I) Be able to pass a character investigation by this department as indicated through a criminal record check;

[(K)](J) Satisfactorily complete the training program prescribed by the board of police commissioners;

[(L)](K) Pass a written examination based on the information given in the training course;

[(M)](L) Never have had a security license revoked or denied by another jurisdiction for a criminal law violation;

[(N)](M) Not withhold any information which would determine fitness relevant to being licensed as a private security officer; and

[(O)](N) Be free of any type of chemical dependency.

(6) Temporary License. If an applicant appears to meet the standards for licensing, the commander of the private security section may issue a temporary license. This permits the applicant to work until a formal license is issued by the board.

(A) While working under a temporary license the holder does not possess power of arrest[,] and search or seizure[,] and may not have a firearm or protective device upon or about his/her person.

(9) License Transfer. A license holder may work only for the company, agency, or business entity named on the license. A license holder who changes employers must transfer his/her license to the new employer before he/she begins working for the new employer. In order to transfer a license from one employer to another, the license holder must appear in person at the private security section and—

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed Feb. 13, 2002, effective Aug. 30, 2002. Amended: Filed May 14, 2008, effective Dec. 30, 2008. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Private Security Division, Sherri Smith, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, or e-mail at slsmith@slmpd.org; with copies to Mark Lawson, Secretary & General Counsel, Legal Division, St. Louis Metropolitan Police Department, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5611, mlawson@slmpd.org, and Lt. Col. Paul M. Nocchiero, Bureau of Professional Standards, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, pmnocchiero@slmpd.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

PROPOSED AMENDMENT

17 CSR 20-2.055 Training. The board is amending sections (1) and (5).

PURPOSE: This amendment clarifies the components of training qualifications for private security officers with prior experience as a state-certified police officer or a retired St. Louis City police officer.

(1) Exemptions. *[Applicants with prior law enforcement experience or accepted training shall be required to successfully complete only the firearms qualification.]* Full-time state-certified police officers and retired St. Louis City police officers *[will]* **shall** be exempt from *[the]* basic classroom training*]. They]* **requirements, but** must still complete *[the]* firearms training **requirements. All other applicants shall be required to complete basic classroom training and firearms training.**

(5) Firearms Qualification. On the firing range an applicant must display the ability to safely and properly handle his/her *[revolver]* **firearm** and must achieve a score at or above the standard established by the board of police commissioners.

(A) An applicant who displays an inability to handle a *[revolver]* **firearm** safely and properly will be disqualified from carrying a firearm.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April

8, 1988, effective July 11, 1988. Amended: Filed April 16, 1990, effective June 28, 1990. Amended: Filed Feb. 13, 2002, effective Aug. 30, 2002. Amended: Filed April 23, 2012.

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Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

PROPOSED AMENDMENT

17 CSR 20-2.065 Authority. The board is amending section (1) and renumbering subsections (2)(G)–(I) as sections (2), (3), and (4), and renumbering section (2) as section (5).

PURPOSE: This amendment clarifies that the only permissible arrest and search and seizure authority for licensed private security officers off their licensed premises occurs when in the course of a foot pursuit of an on-view felony.

(1) Authority. Private security officers have the authority to make an arrest and to search for and seize evidence in connection with the arrest, at the location, and during the time of their assignments, under the same conditions as members of the police force of the City of St. Louis as outlined below:—

(A) In all instances of felonies, misdemeanors, and city ordinance violations committed in the presence of the officer;

(D) Off his/her licensed premises when in *[hot]* foot pursuit for an on-view felony. (An on-view felony offense is a felony offense the security officer sees committed.) **Vehicle pursuits are not permitted under any circumstances;**

(E) Off his/her licensed premises, but only within a two (2) block radius of said premises, unless expressly approved by the private security section, and while escorting employer's employees and visitors from said premises to their parked vehicles or other means of transportation; **and**

(F) Off his/her licensed premises but only while escorting employer or employer's designee, by the most direct route, to and/or from a bank or other financial institution for the purpose of making a cash deposit or withdrawal;—

[(G)](2) The authority granted private security officers herein is limited and said limitations shall be strictly construed. It does not permit private security officers to serve as bodyguards, process servers, or investigators for attorneys. Operators of security agencies should be aware of these restrictions and should also be aware that violation thereof could result in the suspension or revocation of a private security officer's license by the board of police commissioners;—

[(H)](3) In specific circumstances, with the consent of the chief of

police, uniformed security officers may be empowered to direct traffic on city streets adjacent to their employer's property, provided they have successfully completed a training program in traffic direction and control, sponsored by the Traffic Safety Division of the St. Louis Metropolitan Police Department; *and*—

[(I)](4) Private security officers successfully completing training in traffic direction and control, sponsored by the Traffic Safety Division of the St. Louis Metropolitan Police Department, and at the discretion of the chief of police, may be subject to activation to assist with traffic direction and control at any location in the City of St. Louis as established in the Code 1200 Department Emergency Mobilization Manual, Section III (6) Bureau of Professional Standards (b) Private Security Section.

[(2)](5) Arrests. An arrest is made by the actual restraint of the defendant or by his/her submission to the authority of the private security officer.

(A) In making an arrest a private security officer should use only as much force as is reasonably required to achieve his/her lawful objective. Deadly force may never be used in defense of property only.

(B) The arrest authority for private security officers is established by the board of police commissioners under section 84.340, RSMo, granting the board authority to regulate and license all private security personnel.

(C) Police officers from other jurisdictions, including St. Louis City *[m]*Marshals and St. Louis *[d]*Deputy *[s]*Sheriffs, who are serving or acting as private security officers do not possess police powers at the location of their assignments in the City of St. Louis unless licensed by the Board of Police Commissioners of the City of St. Louis.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed Feb. 13, 2002, effective Aug. 30, 2002. Amended: Filed May 14, 2008, effective Dec. 30, 2008. Amended: Filed April 23, 2012.

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Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

PROPOSED AMENDMENT

17 CSR 20-2.085 Uniforms. The board is amending sections (1)–(4).

PURPOSE: This amendment clarifies that uniformed St. Louis City police officers do not need to wear a company logo on their uniform

while serving as private security officers in the City of St. Louis and prohibits the use of red and/or blue lights on private security vehicles.

(1) A company shoulder patch *[will]* **shall** be mandatory on all shirts, coats, and jackets of private security personnel *[who are not paid]* **unless said personnel are within one (1) of the following classifications:**

(A) **Paid**, full-time Missouri Peace Officers Standards and Training- (POST-) certified police officers, having a minimum of six hundred (600) hours of POST certified training~~/, St. Louis Airport Police, St. Louis City Deputy Sheriffs, or St. Louis City Marshals.~~ (All *[paid, full-time Missouri POST certified police officers, having a minimum of six hundred (600) hours of POST certified training, will]* **such individuals must** provide the private security section with written documentation from the head law enforcement officer of their department indicating approval of their wearing of their department's official police uniform while working licensed security in the City of St. Louis)~~/.~~;

(B) **St. Louis Airport Police;**

(C) **St. Louis City Deputy Sheriffs; or**

(D) **St. Louis City Marshals.**

~~[(A)]~~(E) Police officers who do not satisfy the *[above]* certification requirements **in subsection (1)(A)** shall be required to wear the company uniform for which they are employed, and are not eligible to wear their department's official police uniform.

(2) All private security officers should be aware of the following guidelines:

(A) All private security officers are required to wear a uniform, which, at a minimum shall consist of trousers or skirt, and shirt or blouse. The word "police" shall only be displayed on **official** uniforms of *[police officers acting in the capacity of private security officers who are state of Missouri POST certified police officers having a minimum of six hundred (600) hours of training and have been approved for licensing by the Chief of Police and Board of Police Commissioners or St. Louis Airport police officers]* **individuals within subsections (1)(A) or (1)(B) of this regulation.** Verification of the officer's POST certification is required;

(B) All *[couriers]* **private security officers** wearing blue uniform trousers, skirts, shirts, and jackets similar to those worn by the St. Louis Police Department must have their company shoulder patch affixed to either the left or right sleeve, approximately one inch (1") below the shoulder seam, clearly distinguishing them from St. Louis police officers;

(D) **Private** *[S]*security personnel may wear a company badge or emblem as devised by their employer. These badges and emblems bear the name of the employer and identify the individual as a private security officer. The word "police" will not be used on the badge or emblem, except as otherwise provided;

(E) A company shoulder patch will be mandatory on all shirts, coats, and jackets of private security personnel. The patch may be worn on the right or left sleeve approximately one inch (1") below the shoulder seam. POST-certified police officers with a minimum of six hundred (600) hours of training wearing their approved department uniforms while working security in the City of St. Louis are exempt from this requirement **as long as the official department uniform patch is displayed;**

(F) No buttons, insignia, or decoration which are marked in any way with the St. Louis Metropolitan Police Department imprint may be worn by a licensed private security officer; and

(G) The use of company vehicles for security purposes must conform with the established rules governed under city ordinance. The word "police" will not be displayed on the vehicles. **Red and/or blue lights are not allowed on security vehicles.**

(3) Exemption From Wearing Uniform. The board of police com-

missioners may exempt a licensed private security officer from wearing a uniform and/or displaying the department-issued badge/identification card while on duty. Such exemption must be requested by the employer in writing. Each licensed private security officer receiving exemption from the requirement of wearing a uniform may, during the period of the exemption, perform his/her duties as specified on the identification card. The identification card showing that the **private** security officer has a uniform exemption must be carried while the **private** security officer is on duty.

(C) No exemption *[will]* **shall** be granted for a licensed courier or watchman.

(4) Armed Uniform Exemption. In rare instances the board of police commissioners may exempt an armed licensed private security officer, upon written application from his/her employer, from wearing a uniform and/or insignia provided by the board. The employer must show, in writing, that the wearing of a uniform or insignia hinders the efficient performance of security duties by the employee. These requests will be reviewed by the board of police commissioners. Note: A **private** security officer receiving this exemption may perform his/her duties as specified on the identification card and may carry an authorized, loaded firearm on his/her person while performing security duties for the employer subject to the rules and regulations established by the board of police commissioners. A **private** security officer licensed under these conditions is not authorized to carry the weapon on his/her person while traveling in either direction between place of residence and place of assignment and must unload the weapon and transport it according to existing laws and ordinances. Violation of any of these provisions renders the offender subject to penalties, which can include license revocation.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed Feb. 13, 2002, effective Aug. 30, 2002. Amended: Filed May 14, 2008, effective Dec. 30, 2008. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

PROPOSED AMENDMENT

17 CSR 20-2.105 Weapons. The board is amending sections (3), (4), (5), (8), and (9).

PURPOSE: This amendment prescribes additional requirements for the holstering of weapons and specifies those weapon manufacturers whose weapons shall be allowed for armed private security officers.

(3) The authorization to carry a firearm may be revoked if a private security officer discharges or uses his/her *[revolver]* **firearm** and it is determined to be unjustified. Each incident will be decided on a case-by-case basis with the circumstances surrounding the use being the primary factors under consideration.

(4) Inspection and Registration. All firearms used by private security officers must be inspected by the department armorer or his/her designee and must be registered and on file in the private security section. Armed security officers may only use a duty weapon which is personally owned by them, or owned by their agency.

(B) Except as provided above, private security officers must carry a double action .38 Special caliber revolver/s/ or a **9mm Luger (9x19) caliber semi-automatic pistol**. The carrying of any other caliber weapon, including *[semiautomatics,]* derringers, .357 Magnums, and shotguns, is prohibited. Only factory loaded, commercially available ammunition may be carried.

(C) For armed, uniformed security officers, the firearm shall be exposed and worn on a belt at the waist **on the side of the dominant hand**. No other methods, such as a shoulder holster, ankle holster, etc., shall be permitted in uniform. **The holster must positively secure the weapon with a strap or snap.**

(D) For armed security officers on uniform-exempt status the firearm shall be worn on a belt at the waist **on the side of the dominant hand**. No other methods, such as a shoulder holster, ankle holster, etc., shall be permitted for uniform-exempt status. **The holster must positively secure the weapon with a strap or snap.**

(G) **Private security officers who wish to carry a semi-automatic pistol while working security are limited to weapons manufactured by Beretta, Glock, Ruger, Sig-Sauer, Smith & Wesson, and Springfield Armory and registered with the private security section. A semi-automatic weapon carried by a private security officer must be double-action only.**

(5) Requirements for Police Officers from Other Jurisdictions Carrying Duty Weapons. Police officers from other jurisdictions working as **private** security officers in the City of St. Louis may be permitted to carry their department duty weapon upon satisfying the following requirements:

(C) The officer must present a letter from the chief law enforcement officer of his/her department indicating the make, model, and serial number of the weapon that they are allowed to carry while working for their department;

(E) The firearm must be approved by *[our]* **the St. Louis Metropolitan Police [d/Department's armorer [and the armorer must indicate that the weapon has been approved and prepare a letter indicating approval of the weapon] or his/her designee;**

(F) All other part-time police officers and reserve officers from other jurisdictions are *[required to carry a .38 caliber revolver while working security within the City of St. Louis]* **restricted to weapons approved by the board for other private security officers** and are required to successfully complete the firearms training program mandated by the board of police commissioners/. *St. Louis Deputy Sheriffs and St. Louis City Marshals may carry a semiautomatic nine millimeter (9mm) firearm if that is their duty weapon, or a .38 Special caliber revolver;* and

(8) Safety First Rules for Gun Handling. The licensed private security officer is responsible at all times for his/her weapon whether in or out of his/her possession. The following rules must be learned and obeyed:

(F) When the weapon is unattended, it must be **properly secured and safe from children and curious people;** and

(9) Nonlethal Weapons. Private security officers may only carry the following nonlethal defensive weapons or equipment:

(D) **Wooden [nightstick] or composite baton** not more than twenty-six inches (26") long and not weighing more than twenty-one (21) ounces, after completion of approved training. Note: Private security officers and corporate security advisors will only be authorized to carry an impact weapon after they have received training by a board-approved instructor. It is the responsibility of the employer to provide board-approved training in the proper use of this equipment. An agency has the right to determine which of these items may be carried by its licensed security employees.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed Feb. 13, 2002, effective Aug. 30, 2002. Amended: Filed May 14, 2008, effective Dec. 30, 2008. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 17—BOARDS OF POLICE COMMISSIONERS

Division 20—St. Louis Board of Police Commissioners

Chapter 2—Private Security Officers

PROPOSED AMENDMENT

17 CSR 20-2.125 Complaint/Disciplinary Procedures. The board is amending sections (6) and (7).

PURPOSE: This amendment clarifies and expands the bases for disciplining a private security officer.

(6) Disciplinary Action and/or Punishment.

(A) The board of police commissioners retains final authority in all disciplinary matters, including re-instruction, verbal reprimand, written reprimand, suspension, and revocation.

(B) Licensed **private** security personnel, whether on or off duty, are subject to disciplinary action for violations of these rules. Offenses may include, but not be limited to, the following:

1. Conviction of a felony, misdemeanor, or city ordinance;
2. Intoxication or drinking on duty;
3. Possession or illegal use of narcotic or potent drugs (controlled substance);
4. Assumption of police authority when not on duty;
5. Conduct contrary to the public peace and welfare;
6. Interference with any police officer engaged in the performance of his/her duties;
7. Overbearing or oppressive conduct during the performance of duty;
8. Failure to obey a reasonable order by an officer of the St.

Louis Metropolitan Police Department;

9. Any conduct or actions which might jeopardize the reputation or integrity of the St. Louis Metropolitan Police Department or its members;

10. Failure to comply with the firearm restrictions, while traveling in either direction, without deviation between their residences and places of assignment by the most direct route (not to exceed one (1) hour);

11. Carrying any weapon other than an **approved .38 Special caliber revolver or an approved semi-automatic pistol** while performing the duties of a private security officer, unless specifically exempted;

12. Failure to have a weapon inspected by the department armorer and/or his/her designee, not having a record of this weapon on file with the private security section;

13. Carrying more than one (1) authorized firearm on duty;

14. Failure to wear a valid badge/identification card issued by this department on the breast of the outermost garment of security uniform, while on duty;

15. Failure to have in possession a badge/identification card authorizing uniform exemption while working in civilian attire;

16. Serving or acting as a licensed private security officer for any agency or business entity other than the one listed on his/her badge/identification card, except officers of the St. Louis County Police Department;

17. Failure to conform to uniform requirements;

18. Working as a licensed **private security [person] officer** while under suspension;

19. Carrying a firearm concealed or otherwise in civilian attire **[and/or] while purporting to be working security but** not actually engaged in providing a *bona fide* security function at the time;

20. Carrying or using a firearm while performing the duties of a licensed private security officer when not firearms qualified;

21. Any conduct constituting a breach of security or confidence;

22. Neglect of duty;

23. Failure to notify the private security section when and if arrested on any charge;

24. Failure to aid in prosecution;

25. Defacing or altering the badge/identification card;

26. Carrying unauthorized non-/lethal weapons and/or protective devices;

27. Using unnecessary force in effecting an arrest or discourteous treatment or verbal abuse of any person;

28. Submitting a urine specimen which tests positive for controlled substances;

29. Failure to maintain on file at the private security section a current address and telephone number;

30. **[Failed] Failure** to surrender badge/identification card to the private security section when license has been suspended;

31. Failure to cooperate in an investigation conducted by the private security section;

32. Identifying himself/herself as a police officer; **[and]**

33. Engaging in a vehicular pursuit~~/.~~; **and**

34. Failure to surrender weapon for testing and identification purposes.

(7) Categories of Discipline. The board of police commissioners retains final authority in all disciplinary matters, including re-instruction and firearms training, verbal reprimand, written reprimand, suspension, and revocation. Judgments and decisions of the board are final.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed Feb. 13, 2002, effective Aug. 30, 2002. Amended: Filed May 14, 2008, effective Dec. 30, 2008. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agen-

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Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 3—Rules for Couriers

PROPOSED AMENDMENT

17 CSR 20-3.015 Administration and Command of the Private Security Section. The board is amending sections (1)–(3).

PURPOSE: This amendment clarifies that the licensing of private detectives in the City of St. Louis is now under the jurisdiction of the state of Missouri.

(1) Board of Police Commissioners. The St. Louis Board of Police Commissioners (also referred to as the board) is established by state statute and consists of five (5) members, four (4) of whom are appointed by the governor. The Mayor of the City of St. Louis serves *ex officio*. The board has sole charge and control of the Metropolitan Police Department of the City of St. Louis and of the licensing, regulation, and discipline of all corporate security advisors, private security officers, private watchmen, and couriers in the City of St. Louis. Private detectives are licensed by the *[license collector's office of the City of St. Louis] State of Missouri*, not by the board of police commissioners. *[The board relegated that responsibility to the city license collector's office.]*

(2) Private Security Section. The private security section is responsible for the interviewing, investigating, processing, licensing, inspection, and supervision of all persons working or acting as licensed *[security officers] couriers* or any other variety of titles in the City of St. Louis. The private security section is further responsible for issuing and transferring all such licenses, for reinstatements, for periodic inspection of license holders, for liaison with all suppliers of security personnel in the city, and for maintenance of a personnel file on all applicants in the City of St. Louis.

(3) Private Security Personnel. The St. Louis Metropolitan Police Department private security program has four (4) distinct classifications of personnel. A definition of each classification is listed as follows:

(A) Corporate *[S]security [A]advisor*. A person employed to provide all services rendered by a private security officer, as well as other specialized corporate security services related to the protection of his/her employer's/principal's resources and personnel. A licensed corporate security advisor may carry a firearm and protective devices in accordance with the guidelines established in these rules. S/he shall be authorized to exercise the same police powers granted to private security officers while on his/her employer's/principal's property.

However, the corporate security advisor's power and authority shall not be restricted to that property, but shall be coextensive with the geographic limits of the City of St. Louis and St. Louis County (as defined in [17 CSR 20-5.055] 17 CSR 20-5.065);

(B) Private [S/security O/officer. A person employed with certain police powers (as defined in 17 CSR 20-2.065) to protect life or property on or in designated premises. The private security officer's powers exist only within the established property owned or leased by the contracting employer and to incidents occurring on the premises. The private security officer may carry a firearm providing this individual is qualified (as defined in 17 CSR 20-2.055). Authorization to carry a firearm is designated on the badge/identification (ID) card. The private security officer, whether armed or unarmed, may carry a baton, nightstick, pepper mace, and handcuffs after training requirements have been satisfied;

(D) Private [W/watchman. A person employed without police powers and without authorization to carry weapons or protective devices. This individual will perform the tasks of observation and reporting on or in a licensed premise or designated area. This may include patrolling the public street. The private watchman shall be in an approved company uniform. The private watchman has no power of arrest. Note: The private watchman will only be allowed to obtain additional licenses in the private watchman classification.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed April 28, 2010, effective Oct. 30, 2010. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

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Title 17—BOARDS OF POLICE COMMISSIONERS

Division 20—St. Louis Board of Police Commissioners

Chapter 3—Rules for Couriers

PROPOSED AMENDMENT

17 CSR 20-3.025 Definitions. The board is amending section (4).

PURPOSE: This amendment removes the nonspecific term "gun" from the definition of "firearm."

(4) Firearm—[Gun,] **Approved** double-action .38 Special caliber revolver or [approved] **double-action only** semi-automatic pistol in **9mm Luger caliber only**.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed April 28, 2010, effective Oct. 30, 2010. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Private Security Division, Sherri Smith, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, or email at slsmith@slmpd.org; with copies to Mark Lawson, Secretary & General Counsel, Legal Division, St. Louis Metropolitan Police Department, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5611, mlawson@slmpd.org, and Lt. Col. Paul M. Nocchiero, Bureau of Professional Standards, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, pmnocchiero@slmpd.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS

Division 20—St. Louis Board of Police Commissioners

Chapter 3—Rules for Couriers

PROPOSED AMENDMENT

17 CSR 20-3.055 Training. The board is amending sections (1) and (5).

PURPOSE: This amendment clarifies the components of training qualifications for courier, based on prior experience as a state-certified police officer or retired St. Louis City police officer.

(1) Exemptions. [First-time applicants with prior law enforcement experience or accepted training shall be required to successfully complete only the firearms qualification.] Full-time state-certified police officers and retired St. Louis City police officers [will] shall be exempt from [the] basic classroom training[. They] requirements, but must still complete firearms training requirements. All other applicants shall be required to complete basic classroom training and firearms training.

(5) Firearms Qualification. On the firing range an applicant must display the ability to safely and properly handle his/her [revolver] firearm and must achieve a score at or above the standard established by the board of police commissioners.

(A) An applicant who displays an inability to handle a [revolver] firearm safely and properly will be disqualified from carrying a firearm.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed April 28, 2010, effective Oct. 30, 2010. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Private Security Division, Sherri Smith, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, or email at slsmith@slmpd.org; with copies to Mark Lawson, Secretary & General Counsel, Legal Division, St. Louis Metropolitan Police Department, 1200 Clark, St.

Louis, MO 63103, FAX: (314) 444-5611, mlawson@slmpd.org, and Lt. Col. Paul M. Nocchiero, Bureau of Professional Standards, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, pmnocchiero@slmpd.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 3—Rules for Couriers**

PROPOSED AMENDMENT

17 CSR 20-3.085 Uniforms. The board is amending subsections (2)(D) and (G).

PURPOSE: This amendment recharacterizes the description of “police” as a “word,” rather than a “name.”

(2) All couriers should be aware of the following guidelines:

(D) Security personnel may wear a company badge or emblem as devised by their employer. These badges and emblems bear the name of the employer and identify the individual as a courier. The *[name/word]* “police” will not be used on the badge or emblem;

(G) The use of company vehicles for security purposes must conform with the established rules governed under city ordinance. The *[name/word]* “police” will not be displayed on the vehicles.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed April 28, 2010, effective Oct. 30, 2010. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Private Security Division, Sherri Smith, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, or email at slsmith@slmpd.org; with copies to Mark Lawson, Secretary & General Counsel, Legal Division, St. Louis Metropolitan Police Department, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5611, mlawson@slmpd.org, and Lt. Col. Paul M. Nocchiero, Bureau of Professional Standards, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, pmnocchiero@slmpd.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 3—Rules for Couriers**

PROPOSED AMENDMENT

17 CSR 20-3.105 Weapons. The board is amending sections (3), (4), and (8).

PURPOSE: This amendment expands the range of allowable weapons for couriers, prescribes additional requirements for the holstering of weapons by couriers, and prescribes the types of ammunition permitted in couriers’ weapons.

(3) The authorization to carry a firearm may be revoked if a courier discharges or uses his/her *[revolver]* **firearm** and it is determined to be unjustified. Each incident will be decided on a case-by-case basis with the circumstances surrounding the use being the primary factors under consideration.

(4) Inspection and Registration. All firearms used by private couriers must be inspected by the department armorer or his/her designee and must be registered and on file in the private security section. Armed couriers may only use a duty weapon which is either personally owned by them or owned by their agency.

(B) Couriers must carry a double action .38 Special caliber revolver/s/ or a **9mm Luger (9x19) caliber semi-automatic pistol**. The carrying of any other caliber weapon, including *[automatics,]* derringers, .357 Magnums, and shotguns, is prohibited. **Only factory loaded, commercially available ammunition may be carried.** EXCEPTION: Couriers employed by an armored car service company, while protecting and transporting property from one (1) designated area to another, may carry a .38 Special caliber revolver or a semi-automatic pistol in either 9mm **Luger** or .40 caliber **Smith & Wesson**, double-action only.

(C) The firearm shall be exposed and worn on a belt at the waist **on the side of the dominant hand**. No other methods, such as a shoulder holster, ankle holster, and the like, shall be permitted.

(D) Couriers are required to annually requalify with their firearms during the month of license renewal and at six- (6)-/ month intervals.

(8) Nonlethal Weapons. Couriers may only carry the following non-lethal defensive weapons or equipment:

(B) Handcuffs, after completion of approved training;

[(B)](C) Metal baton not more than twenty-six inches (26") long when fully extended and not weighing more than twenty-one (21) ounces, after completion of approved training; and

[(C)](D) Wooden nightstick not more than twenty-six inches (26") long and not weighing more than twenty-one (21) ounces, after completion of approved training. Note: Private security officers, couriers, and corporate security advisors will only be authorized to carry an impact weapon after they have received training by a board-approved instructor. It is the responsibility of the employer to provide board-approved training in the proper use of this equipment. An agency has the right to determine which of these items may be carried by its licensed security employees.

AUTHORITY: section 84.340, RSMo 2000. Original rule filed April 8, 1988, effective July 11, 1988. Amended: Filed April 28, 2010, effective Oct. 30, 2010. Amended: Filed April 23, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Private Security Division, Sherri Smith, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, or email at slsmith@slmpd.org; with copies to Mark Lawson, Secretary & General Counsel, Legal Division, St. Louis Metropolitan Police Department, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5611, mlawson@slmpd.org, and Lt. Col. Paul M. Nocchiero, Bureau of Professional Standards, 1200 Clark, St. Louis, MO 63103, FAX: (314) 444-5711, pmnocchiero@slmpd.org. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 50—Division of School Improvement
Chapter 378—Instructional Grant Programs**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under section 161.092, RSMo Supp. 2011, and sections 160.514, 167.340, 167.343, and 167.346, RSMo 2000, the board rescinds a rule as follows:

5 CSR 50-378.100 Read to be Ready Grant Program **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2012 (37 MoReg 97). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 50—Division of School Improvement
Chapter 380—Technology Grants**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under section

170.254, RSMo 2000, the board rescinds a rule as follows:

5 CSR 50-380.010 General Provisions **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2012 (37 MoReg 97). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 50—Division of School Improvement
Chapter 390—Children At Risk**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 163.011(6) and 163.031, RSMo Supp. 2011, the board rescinds a rule as follows:

5 CSR 50-390.010 Reductions of Pupil/Teacher Ratio for
Children at Risk **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2012 (37 MoReg 97-98). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 2—Air Quality Standards and Air Pollution
Control Rules Specific to the Kansas City Metropolitan
Area**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2011, the commission amends a rule as follows:

10 CSR 10-2.385 Control of Heavy Duty Diesel Vehicle Idling
Emissions **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2011 (36 MoReg 2520). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no comments on the proposed amendment.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2011, the commission amends a rule as follows:

10 CSR 10-5.385 Control of Heavy Duty Diesel Vehicle Idling Emissions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2011 (36 MoReg 2520–2521). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no comments on the proposed amendment.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2011, the commission amends a rule as follows:

11 CSR 45-9.118 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 17, 2012 (37 MoReg 106). Changes have been made to the *Minimum Internal Control Standards* (MICS) as incorporated by reference in Chapter R, and those changes are explained in the comments below. Changes have been made to the text of the proposed amendment, so it is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on February 29, 2012. No one commented at the public hearing. Mike Winter, Executive Director of the Missouri Gaming Association, submitted the following comments on behalf of the industry.

COMMENT #1: In section 7.01 (FFF), we would suggest the title of the form be wire transfer receipt form.

RESPONSE: This form is mentioned in the final rules of Chapter H and cannot be changed until we can rewrite Chapters H and R at the same time.

COMMENT #2: In section 7.01 (FFF)(1), modify this to read—date and time of request.

RESPONSE AND EXPLANATION OF CHANGE: Changed as requested.

COMMENT #3: In section 7.01 (FFF)(9), we are assuming your intent is this should be the patron's account name. We would ask for some clarification on this item.

RESPONSE AND EXPLANATION OF CHANGE: Changed to "name of the patron's bank account."

COMMENT #4: In section 7.01 (FFF)(11), we are again assuming that this is the patron's account number and would ask for clarification.

RESPONSE AND EXPLANATION OF CHANGE: Changed to "patron's bank account number."

COMMENT #5: In section 7.01 (FFF)(13), we would also ask for some clarification if on (13) this is the confirmation number for the transaction.

RESPONSE AND EXPLANATION OF CHANGE: This is the tracking or confirmation number; however, to be consistent with Chapter H, we will refer to it as the "transaction number."

COMMENT #6: In section 7.01 (GGG)(5), given the sensitivity of patrons' social security numbers, if a property is already asking for proper identification by driver's license, would that not suffice rather than requiring patrons to submit social security numbers?

RESPONSE AND EXPLANATION OF CHANGE: Changed to remove the requirement to list the social security number.

COMMENT #7: In section 7.01 (GGG)(7), we question why bank fees should be included on the form since this is a matter between the patron and their own financial institution.

RESPONSE: This requirement is on forms currently being used in Missouri. By knowing the amount of the bank fees, the disposition of all the wired funds can be verified.

COMMENT #8: In section 7.01 (GGG)(8), we would suggest adding the word "out" so that this reflects total amount wired out alpha and numeric.

RESPONSE AND EXPLANATION OF CHANGE: Added "out" to the requirement.

COMMENT #9: For section 7.01 (GGG)(17), in order to be consistent with form (FFF) should this also relate to the accounting representative rather than the staff accountant's signature?

RESPONSE: The staff accountant must be someone independent of the daily audit. The accounting representative is required to do the daily accounting audit in MICS, Chapter H section 20.06. These are different job positions. No change is made in response to this comment.

COMMENT #10: Section 7.01 (HHH) addresses Bad Beat/Special Hands Jackpot Payout Form. Since the form addresses two (2) issues, would the MGC consider allowing a company to split this out to two (2) separate forms if they wanted to handle it in this manner or continue to use a single form?

RESPONSE: The MGC would allow two (2) forms to be submitted to meet this form's requirements.

11 CSR 45-9.118 Minimum Internal Control Standards (MICS)—Chapter R

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards* (MICS) Chapter R—Forms, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter R does not incorporate any subsequent amendments or additions as adopted by the commission on March 28, 2012.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 301.600, 301.610, 301.620, 301.660, 306.400, 306.405, 306.410, 306.430, 700.350, 700.355, 700.360, and 700.380, RSMo Supp. 2011, the director amends a rule as follows:

12 CSR 10-23.446 Notice of Lien is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2012 (37 MoReg 237). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 3—Conditions of Provider Participation,
Reimbursement and Procedure of General Applicability**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under section 208.201, RSMo Supp. 2011, the division adopts a rule as follows:

**13 CSR 70-3.240 MO HealthNet Primary Care Health Homes
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 17, 2012 (37 MoReg 106-110). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The MO HealthNet Division received a total of two (2) letters of comment on the proposed rule.

COMMENT #1: One (1) letter of comment was received from Joel Kurzman, National Association of Chain Drug Stores (NACDS), recommending that the Primary Care Health Home (PCHH) program should incorporate the healthcare services provided by community pharmacists to reduce the problem of poor medication adherence. The NACDS urges the division to explicitly clarify that PCHH services would include “medication therapy management offered by community pharmacists.” Finally, the NACDS encourages the division to maximize the number of individuals who are eligible to participate in the PCHH program so that patients with other types of chronic conditions (such as HIV/AIDS, mental health conditions, etc.) may benefit from the coordination of care services.

RESPONSE: The division fully agrees that community pharmacists play an essential role in educating patients about the appropriate use of their prescription medication, thereby improving coordination of care. The division encourages health homes to include pharmacists in their health home teams as stated in subsection (3)(A) of this rule. In addition, the division already facilitates reimbursement to enrolled pharmacists for Medication Therapy Management (MTM) for all patients, not just those in the PCHH program. Providers may obtain additional information regarding provision of MTM services by going to the division’s website at www.dss.mo.gov/mhd and clicking

on the Clinical Services tab, then on CyberAccess, and reviewing the CyberAccess Flyer.

Regarding the NACDS recommendation that the PCHH program include other types of chronic conditions, the division chose to adhere to the list of chronic disease states in Section 2703 of the Affordable Care Act that traditionally yield improved outcomes through disease management. Participants with serious mental illness (SMI) are candidates for the Community Mental Health Center health home program. No changes have been made to the rule as a result of this comment.

COMMENT #2: One (1) letter of comment was received from Brian Bowles, Missouri Association of Osteopathic Physicians and Surgeons (MAOPS), recommending changing the name from “Health Home” to “Medical Home” as this better describes the type of services represented. Section 334.021, RSMo, is also referenced, stating that only osteopathic (DO) and allopathic (MD) physicians are licensed to practice “comprehensive medical care” in Missouri. In addition, MAOPS feels that the services should be physician-led, not nurse practitioner-led, as nurse practitioners must practice in a collaborative agreement with a physician. Further, MAOPS recommends the use of the term “family medicine” in place of “family practice” in subsection (3)(A) and throughout the rule.

RESPONSE: Section 2703 of the Affordable Care Act amends Title XIX of the Social Security Act by adding the following new section: “Sec. 1945. State Option to Provide Coordinated Care Through a Health Home for Individuals with Chronic Conditions.” The term “Health Home” is used throughout the section to describe the services and requirements for planning grants awarded to states. The division received approval from the Centers for Medicare and Medicaid Services (CMS) for such a planning grant and, therefore, believes the term Primary Care Health Home (PCHH) is appropriate and in accordance with the federal directive.

The division in no way diminishes or disregards the importance of either an osteopathic (DO) or allopathic (MD) physician’s role within the PCHH model. As MAOPS has indicated, a Missouri-licensed nurse practitioner must have a collaborative practice agreement with a physician, which is also a requirement of all nurse practitioners enrolled with MO HealthNet. All patients will continue to receive regular non-PCHH medical benefits as usual, including those provided by physicians as needed, in addition to their PCHH services. The division is not in a position to adopt the use of the term “family medicine” in place of “family practice,” nor does the division believe this is germane to the purposes of this regulation. Both terms are used commonly and interchangeably to describe a specialty of primary care physician services. No changes have been made to the rule as a result of this comment.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees’ Retirement Fund
Chapter 2—Membership and Benefits**

ORDER OF RULEMAKING

By the authority vested in the County Employees’ Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-2.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2012 (37 MoReg 164-165). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-2.160 Administration of Fund is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2012 (37 MoReg 165). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-3.010 Creditable Service is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2012 (37 MoReg 165). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2231—Division of Professional Registration
Chapter 2—Designation of License Renewal Dates and
Related Information

ORDER OF RULEMAKING

By the authority vested in the Missouri Division of Professional Registration under section 324.001, RSMo Supp. 2011, the division withdraws a proposed amendment as follows:

20 CSR 2231-2.010 Designation of License Renewal Dates and Related Renewal Information is **withdrawn**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2012 (37 MoReg 48). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: After further consideration, the Division of Professional Registration has determined that licensees have become accustomed to the April 30 expiration date.

RESPONSE: In order to keep the expiration date as is and minimize

licensee confusion, the proposed amendment is being withdrawn. The geologist licensees will be moving from a biennial to annual renewal for the 2012 renewal period and will resume a biennial renewal with the 2013 renewal cycle.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for June 21, 2012. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

04/26/12

#4779 HT: Saint Luke's Health System
Kansas City (Jackson County)
\$1,260,000, Replace Bi-Plane System

05/09/12

#4787 HT: Barnes-Jewish Hospital
St. Louis (St. Louis City)
\$2,026,432, Replace MRI Unit

05/10/12

#4768 NT: Lacoba Home
Monett (Barry County)
\$3,072,731, Renovate/Modernize 72-bed SNF

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by June 10, 2012. All written requests and comments should be sent to—

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102

For additional information contact
Karla Houchins, (573) 751-6403.

STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. In addition, this list includes contractor(s) that have agreed to placement on the list maintained by the Secretary of State pursuant to Section 290.330 as a part of the resolution of criminal charges of violating the Missouri Prevailing Wage Law. Under this statute, no public body shall award a contract for public works to any contractor or subcontractor, or simulation thereof, during the time that such contractor or subcontractor's name appears on this state debarment list maintained by the Secretary of State.

Contractors Convicted of Violations of the Missouri Prevailing Wage Law

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Rycoblake Corp. Case No. 0916-CR03145 (Jackson County Cir. Ct.)		4212 SE Saddlebrook Cir Lee's Summit, MO 64082	7/13/11	7/13/11 to 7/13/12

Contractors Agreeing to Placement on the Public Works Debarment List as Part of an Agreement Relating to Criminal Pleas

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Rycoblake Corp.		4212 SE Saddlebrook Cir Lee's Summit, MO 64082		7/13/11 to 12/1/12
Gerald Chevalier		4212 SE Saddlebrook Cir Lee's Summit, MO 64082		7/13/11 to 12/1/12

Dated this 2 day of August 2011.


Carla Busch, Director

**ADDITION TO STATUTORY LIST OF CONTRACTORS
BARRED FROM PUBLIC WORKS PROJECTS**

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to Mr. Saxon W. Johnson, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. Saxon W. Johnson including The Tile Doctor or (3) to any other simulation of Mr. Saxon W. Johnson or of The Tile Doctor for a period of one year, or until September 2, 2012.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Saxon W. Johnson DBA The Tile Doctor Case No. 10CA-CR01318 Cass County Cir. Ct.		10724 Haskins Ct Shawnee Mission, KS 66210	9/2/2011	9/2/2011-9/2/2012

Dated this 13 day of September 2011.


Carla Buschjost, Director

ADDITION TO STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to Mr. Larry G. McElroy, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. Larry G. McElroy including Blackhawk or (3) to any other simulation of Mr. Larry G. McElroy or of Blackhawk Electric for a period of one year, or until December 27, 2012.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Larry G. McElroy DBA Blackhawk Electric Case No. 11CG-CR01157 Cape Girardeau County Cir. Ct.		254 E. Lake Dr., PO Box 248 Cape Girardeau, MO 63701	12/27/2011	12/27/2011-12/27/2012

Dated this 26 day of January, 2012.


Carla Buschjost, Director

ADDITION TO STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to Mr. Norman Bass, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. Norman Bass including Municipal Construction Incorporated or (3) to any other simulation of Mr. Norman Bass or of Municipal Construction Incorporated for a period of one year, or until February 1, 2013.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Norman Bass DBA Municipal Construction Incorporated Case No. 12SO-CR00103 Scott County Cir. Ct.		10150 Hawthorne Ridge Goodrich, MI 48438	2/01/12	2/01/2012-2/01/2013

Dated this 17 day of February, 2012.


 Carla Buschjost, Director

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

**NOTICE OF WINDING UP
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
POLARIS FINANCIAL STRATEGIES, L.L.C.**

On April 10, 2012, Polaris Financial Strategies, L.L.C., a Missouri limited liability company, filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against Polaris Financial Strategies, L.L.C., you must submit the claim in writing to: Guy N. Brandt, 8000 Maryland Avenue, Suite 1550, St. Louis, MO 63105. The claim must include:

1. The name, address and telephone number of the claimant.
2. The amount of the claim.
3. The date on which the event occurred on which the claim is based.
4. A brief description of the nature of or the basis for the claim.

All claims against Polaris Financial Strategies, L.L.C. will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				35 MoReg 1815
	DEPARTMENT OF AGRICULTURE				
2 CSR 30-2.020	Animal Health		This Issue		
2 CSR 70-25.065	Plant Industries		37 MoReg 571		
2 CSR 70-30.110	Plant Industries		37 MoReg 571		
2 CSR 70-30.115	Plant Industries		37 MoReg 572		
2 CSR 80-1.010	State Milk Board		37 MoReg 573		
2 CSR 80-2.010	State Milk Board		37 MoReg 505R 37 MoReg 505		
2 CSR 80-2.020	State Milk Board		37 MoReg 573		
2 CSR 80-2.030	State Milk Board		37 MoReg 573		
2 CSR 80-2.040	State Milk Board		37 MoReg 574		
2 CSR 80-2.050	State Milk Board		37 MoReg 574		
2 CSR 80-2.060	State Milk Board		37 MoReg 575		
2 CSR 80-2.070	State Milk Board		37 MoReg 575		
2 CSR 80-2.080	State Milk Board		37 MoReg 577		
2 CSR 80-2.091	State Milk Board		37 MoReg 577		
2 CSR 80-2.101	State Milk Board		37 MoReg 578		
2 CSR 80-2.110	State Milk Board		37 MoReg 578		
2 CSR 80-2.121	State Milk Board		37 MoReg 578		
2 CSR 80-2.130	State Milk Board		37 MoReg 579		
2 CSR 80-2.141	State Milk Board		37 MoReg 579		
2 CSR 80-2.151	State Milk Board		37 MoReg 580		
2 CSR 80-2.161	State Milk Board		37 MoReg 580		
2 CSR 80-2.170	State Milk Board		37 MoReg 581		
2 CSR 80-2.180	State Milk Board		37 MoReg 581		
2 CSR 80-4.010	State Milk Board		37 MoReg 581		
2 CSR 90-10	Weights and Measures				36 MoReg 1762
	DEPARTMENT OF CONSERVATION				
3 CSR 10-6.415	Conservation Commission		37 MoReg 582		
3 CSR 10-7.455	Conservation Commission		36 MoReg 2161	37 MoReg 51	37 MoReg 118
3 CSR 10-11.120	Conservation Commission		37 MoReg 582		
3 CSR 10-11.180	Conservation Commission		37 MoReg 583		
3 CSR 10-12.109	Conservation Commission		37 MoReg 583		
3 CSR 10-12.110	Conservation Commission		37 MoReg 583		
3 CSR 10-12.125	Conservation Commission		37 MoReg 584		
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR 170-7.010	Missouri Housing Development Commission		37 MoReg 7R	37 MoReg 694R	
4 CSR 170-7.020	Missouri Housing Development Commission		37 MoReg 7R	37 MoReg 694R	
4 CSR 170-7.030	Missouri Housing Development Commission		37 MoReg 8R	37 MoReg 694R	
4 CSR 170-7.040	Missouri Housing Development Commission		37 MoReg 8R	37 MoReg 694R	
4 CSR 170-7.050	Missouri Housing Development Commission		37 MoReg 8R	37 MoReg 695R	
4 CSR 170-7.100	Missouri Housing Development Commission		37 MoReg 8	37 MoReg 695	
4 CSR 170-7.200	Missouri Housing Development Commission		37 MoReg 9	37 MoReg 695	
4 CSR 170-7.300	Missouri Housing Development Commission		37 MoReg 10	37 MoReg 695	
4 CSR 170-7.400	Missouri Housing Development Commission		37 MoReg 11	37 MoReg 695	
4 CSR 170-7.500	Missouri Housing Development Commission		37 MoReg 12	37 MoReg 695	
4 CSR 170-7.600	Missouri Housing Development Commission		37 MoReg 14	37 MoReg 696	
4 CSR 240-4.020	Public Service Commission		36 MoReg 2230	37 MoReg 527W	
4 CSR 240-20.065	Public Service Commission		37 MoReg 315		
	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION				
5 CSR 20-100.200	Division of Learning Services		37 MoReg 507		
5 CSR 20-100.250	Division of Learning Services		37 MoReg 333		
5 CSR 20-300.120	Division of Learning Services		N.A.	37 MoReg 527	
5 CSR 20-400.150	Division of Learning Services		37 MoReg 509		
5 CSR 20-400.160	Division of Learning Services		37 MoReg 509		
5 CSR 20-400.170	Division of Learning Services		37 MoReg 510		
5 CSR 20-400.180	Division of Learning Services		37 MoReg 510		
5 CSR 20-400.190	Division of Learning Services		37 MoReg 511		
5 CSR 20-400.200	Division of Learning Services		37 MoReg 511		
5 CSR 20-400.250	Division of Learning Services		37 MoReg 511		
5 CSR 20-400.260	Division of Learning Services		37 MoReg 512		
5 CSR 20-400.280	Division of Learning Services		37 MoReg 512		
5 CSR 20-500.330	Division of Learning Services		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
5 CSR 30-261.025	Division of Financial and Administrative Services		This Issue		
5 CSR 50-378.100	Division of School Improvement		37 MoReg 97R	This IssueR	
5 CSR 50-380.010	Division of School Improvement		37 MoReg 97R	This IssueR	
5 CSR 50-390.010	Division of School Improvement		37 MoReg 97R	This IssueR	
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-25.010	Missouri Highways and Transportation Commission				37 MoReg 861
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-3.010	Division of Employment Security		37 MoReg 679		
8 CSR 10-5.030	Division of Employment Security		37 MoReg 334		
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-5.240	Director, Department of Mental Health	37 MoReg 147	36 MoReg 2369	37 MoReg 607	
9 CSR 10-31.040	Director, Department of Mental Health		37 MoReg 335		
9 CSR 30-4.030	Certification Standards		37 MoReg 15	37 MoReg 735	
9 CSR 30-4.034	Certification Standards		37 MoReg 17	37 MoReg 735	
9 CSR 30-4.035	Certification Standards		37 MoReg 18	37 MoReg 735	
9 CSR 30-4.039	Certification Standards		37 MoReg 19	37 MoReg 736	
9 CSR 30-4.042	Certification Standards		37 MoReg 20	37 MoReg 736	
9 CSR 30-4.043	Certification Standards		37 MoReg 20	37 MoReg 736	
9 CSR 30-4.046	Certification Standards		37 MoReg 22	37 MoReg 737	
9 CSR 45-2.010	Division of Mental Retardation and Developmental Disabilities		37 MoReg 337		
9 CSR 45-2.015	Division of Mental Retardation and Developmental Disabilities		37 MoReg 352		
9 CSR 45-2.017	Division of Mental Retardation and Developmental Disabilities		37 MoReg 355		
9 CSR 45-2.020	Division of Mental Retardation and Developmental Disabilities		37 MoReg 377		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.385	Air Conservation Commission		36 MoReg 2520	This Issue	
10 CSR 10-5.040	Air Conservation Commission		36 MoReg 2232	37 MoReg 608	
10 CSR 10-5.130	Air Conservation Commission		36 MoReg 2233	37 MoReg 610	
10 CSR 10-5.385	Air Conservation Commission		36 MoReg 2521	This Issue	
10 CSR 10-5.455	Air Conservation Commission		36 MoReg 2233	37 MoReg 610	
10 CSR 10-5.490	Air Conservation Commission		36 MoReg 2234	37 MoReg 611	
10 CSR 10-6.020	Air Conservation Commission		36 MoReg 2246	37 MoReg 613	
10 CSR 10-6.060	Air Conservation Commission		37 MoReg 379		
10 CSR 10-6.065	Air Conservation Commission		37 MoReg 383		
10 CSR 10-6.260	Air Conservation Commission		37 MoReg 388		
10 CSR 10-6.310	Air Conservation Commission		36 MoReg 2260	37 MoReg 614	
10 CSR 10-6.400	Air Conservation Commission		36 MoReg 2269	37 MoReg 615	
10 CSR 10-6.410	Air Conservation Commission		37 MoReg 392		
10 CSR 20-6.100	Clean Water Commission		36 MoReg 2906R 36 MoReg 2906 37 MoReg 393R 37 MoReg 394		
10 CSR 20-7.031	Clean Water Commission		36 MoReg 2521	37 MoReg 737	
10 CSR 60-5.010	Safe Drinking Water Commission		36 MoReg 2374	37 MoReg 528	
10 CSR 60-7.020	Safe Drinking Water Commission		36 MoReg 2375	37 MoReg 529	
10 CSR 60-8.030	Safe Drinking Water Commission		36 MoReg 2380	37 MoReg 529	
10 CSR 60-15.010	Safe Drinking Water Commission		36 MoReg 2380	37 MoReg 529	
10 CSR 60-15.020	Safe Drinking Water Commission		36 MoReg 2381	37 MoReg 529	
10 CSR 60-15.040	Safe Drinking Water Commission		36 MoReg 2384	37 MoReg 529	
10 CSR 60-15.050	Safe Drinking Water Commission		36 MoReg 2384	37 MoReg 530	
10 CSR 60-15.060	Safe Drinking Water Commission		36 MoReg 2385R 36 MoReg 2385	37 MoReg 530R 37 MoReg 530	
10 CSR 60-15.070	Safe Drinking Water Commission		36 MoReg 2391	37 MoReg 530	
10 CSR 60-15.080	Safe Drinking Water Commission		36 MoReg 2393	37 MoReg 530	
10 CSR 60-15.090	Safe Drinking Water Commission		36 MoReg 2394	37 MoReg 531	
10 CSR 140-8.010	Division of Energy		37 MoReg 513		
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 10-12.010	Adjutant General (Changed to 11 CSR 30-13.010)		37 MoReg 152		
11 CSR 10-12.020	Adjutant General (Changed to 11 CSR 30-13.020)		37 MoReg 152		
11 CSR 10-12.030	Adjutant General (Changed to 11 CSR 30-13.030)		37 MoReg 153		
11 CSR 10-12.040	Adjutant General (Changed to 11 CSR 30-13.040)		37 MoReg 153		
11 CSR 10-12.050	Adjutant General (Changed to 11 CSR 30-13.050)		37 MoReg 153		
11 CSR 10-12.060	Adjutant General (Changed to 11 CSR 30-13.060)		37 MoReg 154		
11 CSR 30-12.010	Office of the Director	37 MoReg 93	37 MoReg 98		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 30-13.010	Office of the Director (<i>Changed from 11 CSR 10-12.010</i>)		37 MoReg 152		
11 CSR 30-13.020	Office of the Director (<i>Changed from 11 CSR 10-12.020</i>)		37 MoReg 152		
11 CSR 30-13.030	Office of the Director (<i>Changed from 11 CSR 10-12.030</i>)		37 MoReg 153		
11 CSR 30-13.040	Office of the Director (<i>Changed from 11 CSR 10-12.040</i>)		37 MoReg 153		
11 CSR 30-13.050	Office of the Director (<i>Changed from 11 CSR 10-12.050</i>)		37 MoReg 153		
11 CSR 30-13.060	Office of the Director (<i>Changed from 11 CSR 10-12.060</i>)		37 MoReg 154		
11 CSR 30-13.070	Office of the Director		37 MoReg 155		
11 CSR 30-13.080	Office of the Director		37 MoReg 156		
11 CSR 30-13.090	Office of the Director		37 MoReg 156		
11 CSR 30-13.100	Office of the Director		37 MoReg 156		
11 CSR 30-13.110	Office of the Director		37 MoReg 157		
11 CSR 45-1.015	Missouri Gaming Commission		36 MoReg 2270	37 MoReg 531	
11 CSR 45-1.080	Missouri Gaming Commission		36 MoReg 2270	37 MoReg 531	
11 CSR 45-5.030	Missouri Gaming Commission		36 MoReg 2270	37 MoReg 531	
11 CSR 45-5.065	Missouri Gaming Commission		36 MoReg 2271	37 MoReg 532	
11 CSR 45-5.181	Missouri Gaming Commission		37 MoReg 679		
11 CSR 45-5.185	Missouri Gaming Commission		37 MoReg 407		
11 CSR 45-8.130	Missouri Gaming Commission		37 MoReg 408		
11 CSR 45-9.020	Missouri Gaming Commission		This Issue		
11 CSR 45-9.106	Missouri Gaming Commission		37 MoReg 410		
11 CSR 45-9.108	Missouri Gaming Commission		36 MoReg 2687	37 MoReg 696	
11 CSR 45-9.114	Missouri Gaming Commission		37 MoReg 680		
11 CSR 45-9.118	Missouri Gaming Commission		37 MoReg 106	This Issue	
11 CSR 45-9.120	Missouri Gaming Commission		37 MoReg 410		
11 CSR 45-12.090	Missouri Gaming Commission		36 MoReg 2271	37 MoReg 532	
DEPARTMENT OF REVENUE					
12 CSR 10-23.446	Director of Revenue		37 MoReg 237	This Issue	
12 CSR 10-26.210	Director of Revenue		37 MoReg 410		
12 CSR 10-41.010	Director of Revenue	36 MoReg 2455	36 MoReg 2687	37 MoReg 467	
12 CSR 30-4.010	State Tax Commission		37 MoReg 157	37 MoReg 857W	
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 40-2.395	Family Support Division		37 MoReg 517		
13 CSR 70-3.230	MO HealthNet Division		37 MoReg 23	37 MoReg 699	
13 CSR 70-3.240	MO HealthNet Division		37 MoReg 106	This Issue	
13 CSR 70-4.110	MO HealthNet Division		37 MoReg 111	37 MoReg 700	
13 CSR 70-10.160	MO HealthNet Division		37 MoReg 441		
13 CSR 70-15.200	MO HealthNet Division		37 MoReg 27R	37 MoReg 700R	
13 CSR 70-15.220	MO HealthNet Division		37 MoReg 681		
13 CSR 70-35.010	MO HealthNet Division		36 MoReg 2273	37 MoReg 532	
DEPARTMENT OF CORRECTIONS					
14 CSR 80-3.010	State Board of Probation and Parole		36 MoReg 2695	37 MoReg 536	
14 CSR 80-3.020	State Board of Probation and Parole		36 MoReg 2697	37 MoReg 536	
14 CSR 80-4.010	State Board of Probation and Parole		37 MoReg 160	37 MoReg 857	
14 CSR 80-4.020	State Board of Probation and Parole		37 MoReg 160	37 MoReg 857	
14 CSR 80-4.030	State Board of Probation and Parole		37 MoReg 161	37 MoReg 857	
14 CSR 80-5.010	State Board of Probation and Parole		36 MoReg 2697	37 MoReg 536	
14 CSR 80-5.020	State Board of Probation and Parole		36 MoReg 2698	37 MoReg 537	
ELECTED OFFICIALS					
15 CSR 30-51.100	Secretary of State		This Issue		
15 CSR 30-51.180	Secretary of State		This Issue		
15 CSR 40-3.020	State Auditor		37 MoReg 518		
15 CSR 40-3.030	State Auditor		37 MoReg 518		
15 CSR 40-5.010	State Auditor		37 MoReg 519R		
15 CSR 50-4.030	Treasurer	37 MoReg 731	37 MoReg 733		
RETIREMENT SYSTEMS					
16 CSR 10-3.020	The Public School Retirement System of Missouri		This Issue		
16 CSR 10-5.030	The Public School Retirement System of Missouri		37 MoReg 163	37 MoReg 857	
16 CSR 10-6.030	The Public School Retirement System of Missouri		This Issue		
16 CSR 10-6.090	The Public School Retirement System of Missouri		37 MoReg 164	37 MoReg 858	
16 CSR 20-2.083	Missouri Local Government Employees' Retirement System (LAGERS)		This IssueR		
16 CSR 50-2.010	The County Employees' Retirement Fund		37 MoReg 165	This Issue	
16 CSR 50-2.160	The County Employees' Retirement Fund		37 MoReg 165	This Issue	
16 CSR 50-3.010	The County Employees' Retirement Fund		37 MoReg 165	This Issue	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
BOARDS OF POLICE COMMISSIONERS					
17 CSR 20-2.015	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-2.025	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-2.035	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-2.055	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-2.065	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-2.085	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-2.105	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-2.125	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-3.015	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-3.025	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-3.055	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-3.085	St. Louis Board of Police Commissioners		This Issue		
17 CSR 20-3.105	St. Louis Board of Police Commissioners		This Issue		
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 10-10	Office of the Director				36 MoReg 1700
19 CSR 20-26.030	Division of Community and Public Health		37 MoReg 519R		
19 CSR 20-26.040	Division of Community and Public Health		37 MoReg 519		
19 CSR 20-28.010	Division of Community and Public Health		37 MoReg 27	37 MoReg 700	
19 CSR 20-28.040	Division of Community and Public Health		37 MoReg 38	37 MoReg 700	
19 CSR 30-1	Division of Regulation and Licensure				36 MoReg 1702
19 CSR 30-20	Division of Regulation and Licensure				36 MoReg 1704
19 CSR 30-40.365	Division of Regulation and Licensure		37 MoReg 523		
19 CSR 30-70.620	Division of Regulation and Licensure		37 MoReg 44	37 MoReg 701	
19 CSR 30-70.630	Division of Regulation and Licensure		37 MoReg 44	37 MoReg 701	
19 CSR 30-81.015	Division of Regulation and Licensure		37 MoReg 523R		
19 CSR 30-84.030	Division of Regulation and Licensure		37 MoReg 684		
19 CSR 30-85.022	Division of Regulation and Licensure		37 MoReg 585		
19 CSR 30-86.022	Division of Regulation and Licensure		37 MoReg 592		
19 CSR 30-86.043	Division of Regulation and Licensure		37 MoReg 524		
19 CSR 30-86.047	Division of Regulation and Licensure		37 MoReg 525		
19 CSR 30-88.020	Division of Regulation and Licensure		37 MoReg 602		
19 CSR 60-50	Missouri Health Facilities Review Committee				37 MoReg 702 37 MoReg 862 This Issue
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION					
20 CSR	Applied Behavior Analysis Maximum Benefit				37 MoReg 472
20 CSR	Construction Claims Binding Arbitration Cap				36 MoReg 192 37 MoReg 62
20 CSR	Sovereign Immunity Limits				37 MoReg 62
20 CSR	State Legal Expense Fund Cap				36 MoReg 192 37 MoReg 62
20 CSR 100-5.020	Insurer Conduct	36 MoReg 2897	36 MoReg 2920 37 MoReg 166	37 MoReg 858	
20 CSR 200-12.030	Insurance Solvency and Company Regulation		37 MoReg 238		
20 CSR 200-18.030	Insurance Solvency and Company Regulation	37 MoReg 150	37 MoReg 168		
20 CSR 700-1.160	Insurance Licensing	37 MoReg 150	37 MoReg 171		
20 CSR 2010-2.022	Missouri State Board of Accountancy		37 MoReg 112	37 MoReg 701	
20 CSR 2030-2.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		36 MoReg 2701	37 MoReg 615	
20 CSR 2030-2.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		36 MoReg 2701	37 MoReg 615	
20 CSR 2030-11.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		36 MoReg 2701	37 MoReg 615	
20 CSR 2030-11.035	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		36 MoReg 2702	37 MoReg 616	
20 CSR 2030-14.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		36 MoReg 2702R	37 MoReg 616R	
20 CSR 2110-2.010	Missouri Dental Board		37 MoReg 604		
20 CSR 2110-2.030	Missouri Dental Board		37 MoReg 604		
20 CSR 2110-2.050	Missouri Dental Board		37 MoReg 605		
20 CSR 2110-2.070	Missouri Dental Board		37 MoReg 605		
20 CSR 2115-1.040	State Committee of Dietitians	36 MoReg 2899	36 MoReg 2922	37 MoReg 537	
20 CSR 2115-2.010	State Committee of Dietitians		36 MoReg 2925	37 MoReg 537	
20 CSR 2115-2.020	State Committee of Dietitians		36 MoReg 2925	37 MoReg 537	
20 CSR 2115-2.040	State Committee of Dietitians		36 MoReg 2925	37 MoReg 537	
20 CSR 2115-2.045	State Committee of Dietitians		36 MoReg 2926	37 MoReg 537	
20 CSR 2145-1.040	Missouri Board of Geologist Registration		37 MoReg 45	37 MoReg 616	
20 CSR 2150-1.011	State Board of Registration for the Healing Arts		37 MoReg 173R 37 MoReg 173	37 MoReg 858R 37 MoReg 858	
20 CSR 2150-3.203	State Board of Registration for the Healing Arts		37 MoReg 178	37 MoReg 858	
20 CSR 2150-4.201	State Board of Registration for the Healing Arts		37 MoReg 178		
20 CSR 2150-4.203	State Board of Registration for the Healing Arts		37 MoReg 179		
20 CSR 2150-4.205	State Board of Registration for the Healing Arts		37 MoReg 180		
20 CSR 2150-5.026	State Board of Registration for the Healing Arts		37 MoReg 241		
20 CSR 2150-5.028	State Board of Registration for the Healing Arts		37 MoReg 241		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 2165-2.050	Board of Examiners for Hearing Instrument Specialists		37 MoReg 113	37 MoReg 701	
20 CSR 2205-3.010	Missouri Board of Occupational Therapy		37 MoReg 180	37 MoReg 858	
20 CSR 2205-3.020	Missouri Board of Occupational Therapy		37 MoReg 184	37 MoReg 859	
20 CSR 2205-3.030	Missouri Board of Occupational Therapy		37 MoReg 187	37 MoReg 859	
20 CSR 2220-2.145	State Board of Pharmacy		37 MoReg 190	37 MoReg 859	
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4 CSR 240-31.010	Definitions	July 2, 2012 Issue . .	June 1, 2012Feb. 28, 2013
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9 CSR 10-5.240	Health Home37 MoReg 147	Jan. 1, 2012June 28, 2012
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11 CSR 30-12.010	Payment for Sexual Assault Forensic Examinations37 MoReg 93	Dec. 17, 2011June 13, 2012
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12 CSR 10-41.010	Annual Adjusted Rate of Interest36 MoReg 2455	Jan. 1, 2012June 28, 2012
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15 CSR 50-4.030	Missouri MOST 529 Matching Grant Program37 MoReg 731	April 15, 2012Jan. 23, 2013
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20 CSR 200-18.030	Licensure of Motor Vehicle Extended Service Contract Producers37 MoReg 150	Jan. 9, 2012July 6, 2012
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22 CSR 10-2.020	General Membership Provisions (Rescission)36 MoReg 2463	Jan. 1, 2012June 28, 2012
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22 CSR 10-3.090	Pharmacy Benefit Summary36 MoReg 2516	Jan. 1, 2012	June 28, 2012
22 CSR 10-3.100	Fully-Insured Medical Plan Provisions36 MoReg 2519	Jan. 1, 2012	June 28, 2012

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2012			
12-05	Extends Executive Orders 11-06, 12-03, 11-07, 11-11, 11-14, and 12-04 until June 1, 2012	March 13, 2012	37 MoReg 569
12-04	Activates the state militia in response to severe weather that began on February 28, 2012	Feb. 29, 2012	37 MoReg 503
12-03	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to the severe weather that began on February 28, 2012	Feb. 29, 2012	37 MoReg 501
12-02	Orders the transfer of all authority, powers, and duties of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Dept. of Health and Senior Services and the Dept. of Mental Health to the Dept. of Social Services effective Aug. 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly	Jan. 23, 2012	37 MoReg 313
12-01	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Jan. 23, 2012	37 MoReg 311
2011			
11-25	Extends the declaration of emergency contained in Executive Order 11-06 (and extended by Executive Orders 11-09, 11-19, and 11-23) until March 15, 2012, unless extended in whole or part by subsequent order. Further Executive Orders 11-07, 11-11, and 11-14 are extended until March 15, 2012, unless extended in whole or part by subsequent order	Dec. 14, 2011	37 MoReg 95
11-24	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Nov. 18, 2011	37 MoReg 5
11-23	Extends Executive Order 11-20 until October 15, 2011, and extends Executive Orders 11-06, 11-07, 11-08, 11-11, 11-14, and 11-18 until December 18, 2011	Sept. 13, 2011	36 MoReg 2157
11-22	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	July 26, 2011	36 MoReg 1979
11-21	Authorizes the Joplin Public School system to immediately begin to retrofit, equip, and furnish various buildings to house students during the 2011-2012 school year without requiring advertisements for bids	June 17, 2011	36 MoReg 1800
11-20	Extends certain terms of Executive Order 11-12 to help Missouri citizens impacted by the Joplin tornado of April 22, 2011	June 17, 2011	36 MoReg 1798
11-19	Extends certain terms of Executive Orders 11-06, 11-07, 11-08, 11-10, 11-11, 11-13, 11-14, 11-15, 11-16, and 11-18 until September 15, 2011	June 17, 2011	36 MoReg 1796
11-18	Activates the state militia in response to flooding events occurring and threatening along the Missouri River	June 8, 2011	36 MoReg 1739
11-17	Establishes the State of Missouri Resource, Recovery & Rebuilding Center in the City of Joplin in response to a tornado that struck there on May 22, 2011	June 7, 2011	36 MoReg 1737
11-16	Authorizes the Joplin Public Schools to immediately begin to retrofit and furnish warehouse and retail structures to house district programs displaced by the tornado and severe storms on May 22, 2011, without requiring advertisements for bids	June 3, 2011	36 MoReg 1735
11-15	Authorizes the Joplin Public School system to immediately rebuild, restore, and/or renovate Emerson Elementary, Kelsey Norman Elementary, Old South Middle School, and Washington Education Center without requiring advertisement for bids	June 1, 2011	36 MoReg 1594
11-14	Activates the state militia in response to a tornado that hit the City of Joplin on May 22, 2011	May 26, 2011	36 MoReg 1592
11-13	Authorizes the Joplin Public Schools system to immediately begin rebuilding and replacing the materials for three of its buildings that were destroyed in a tornado that struck on May 22, 2011, without requiring advertisement for bids	May 26, 2011	36 MoReg 1590
11-12	Orders the director of the Department of Insurance, Financial Institutions and Professional Registration to temporarily waive, suspend, and/or modify any statute or regulation under his purview in order to best serve the interests of those citizens affected by the tornado that hit the city of Joplin on May 22, 2011	May 26, 2011	36 MoReg 1587

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11-11	Orders the director of revenue to issue duplicate or replacement license, nondriver license, certificate of motor vehicle ownership, number plate, or tabs lost or destroyed as a result of the tornado that hit the city of Joplin and to waive all state fees and charges for such duplicate or replacement	May 26, 2011	36 MoReg 1585
11-10	Orders the Missouri Department of Health and Senior Services and the State Board of Pharmacy to temporarily waive certain rules and regulations to allow medical practitioners and pharmacists responding to the tornado and severe storms in Joplin to best serve the interests of public health and safety	May 24, 2011	36 MoReg 1583
11-09	Extends Executive Orders 11-06, 11-07, and 11-08 through June 20, 2011	May 20, 2011	36 MoReg 1581
11-08	Activates the state militia in response to severe weather that began on April 22	April 25, 2011	36 MoReg 1449
11-07	Gives the director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on April 22	April 25, 2011	36 MoReg 1447
11-06	Declares a state of emergency for the state of Missouri and activates the Missouri State Emergency Operations Plan due to severe weather that began on April 22	April 22, 2011	36 MoReg 1445
11-05	Orders the Missouri Department of Transportation to assist local jurisdictions in counties that: 1) received record snowfalls; and 2) continuing snow clearance exceeds their capabilities	Feb. 4, 2011	36 MoReg 883
11-04	Activates the state militia in response to severe weather that began on January 31, 2011	Jan. 31, 2011	36 MoReg 881
11-03	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	Jan. 31, 2011	36 MoReg 879
11-02	Extends the declaration of emergency contained in Executive Order 10-27 and the terms of Executive Order 11-01 through February 28, 2011	Jan. 28, 2011	36 MoReg 877
11-01	Gives the Director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe winter weather that began on December 30	Jan. 4, 2011	36 MoReg 705

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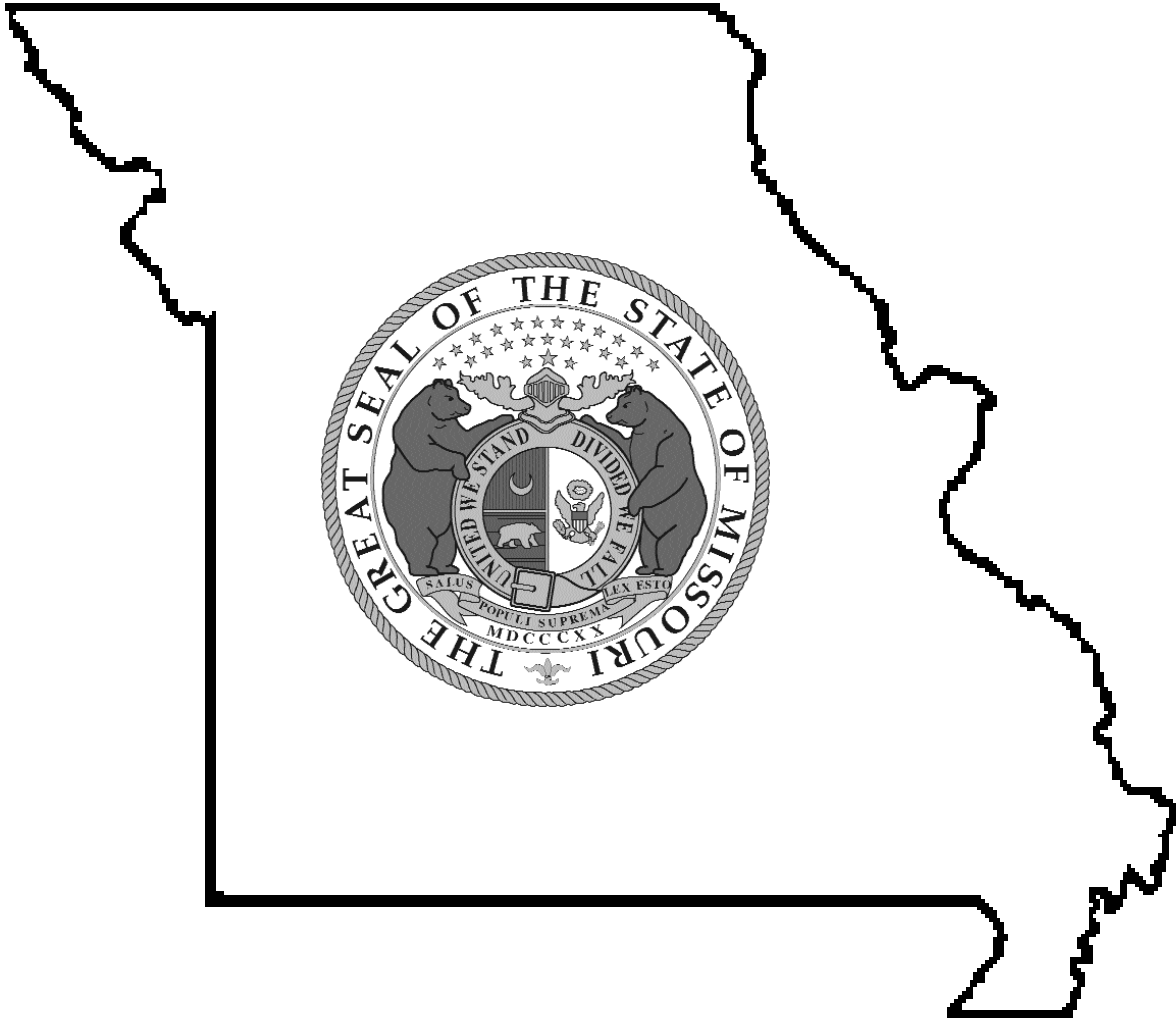
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